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MINUTES OF THE SUPREME COURT OF THE UNITED STATES

Roll 6

Volumes T-V

February 8, 1860 - February 24, 1864

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NOTES ON ROLL 6

The three volumes reproduced on this roll have the following backstrip titles: (1) "Minutes / Supreme Court / U. S. / T / Feb. 8, 1860 / to / Mar. 4, 1862"; (2) "Minutes / Supreme Court / U. S. / U / Mar. 5, 1861 / to / Dec. 29, 1862"; and (3) "Minutes / Supreme Court / U. S. / V / Dec. 30, 1862 / to / Feb. 24, 1864." They contain the minutes of the Supreme Court of the United States from February 8, 1860, to February 24, 1864.

The first volume contains the minutes of the Court from February 8, 1860, to March 4, 1862; the second, from March 5, 1861, to December 29, 1862; and the third, from December 30, 1862, to February 24, 1864.

VOLUME

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Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	James M. Wayne	
" "	John Catron,	
" "	Samuel Nelson	Associate
" "	Robert C. Grier,	Justices.
" "	John A. Campbell,	
" "	Nathan Clifford	

William Selden, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Pierre A. Berthold &al. vs. Pltffs in er James McDonald &al.	On the motion of Mr. Washburne of counsel for the plaintiffs in error, It is ordered that leave be and the same is hereby granted him to file a printed argument in behalf of his client in this case on or before the 25th instant.

34

Wednesday February 8th 1860 Continued -

69	The United States vs. Appts Andres Pico	The argument of this cause was commenced by Mr. Attorney General Black of counsel for the appellants, continued by Mr. Gillet of counsel for the appellees, and concluded by Mr. Stanton of counsel for the appellants.
70	Joseph Kimbro vs. pltff in er. Bullitt Miller & Co	This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Benjamin of counsel for the defendants in error.
71	The United States vs. Appts Rafael Garcia.	The argument of this cause was commenced by Mr. Attorney General Black of counsel for the appellants -

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	James M. Wayne	
"	John Catron,	
"	Samuel Nelson,	Associate
"	Robert C. Grier	Justices
"	John A. Campbell,	
"	Nathan Clifford	

William Selden Esquire, Marshal,
William Thomas Carroll, Esquire,

Proclamation being made the Court is opened.

71.	The United States vs. Appts Rafael Garcia	The argument of this cause was continued by Mr Benham of Counsel for the appellee and concluded by Mr E. M. Stanton of Counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

day, February 10th 1860.

nant to adjournment the Court met
rning at the Capitol.

Present.

nable	James M. Wayne,	
	John Catron,	
	Samuel Nelson,	Associate
	Robert C. Grier,	Justices.
	John A. Campbell,	
	Nathan Clifford.	

William Selden, Esquire, Marshal.
William Thomas Carroll, Clerk.

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ation being made the Court is opened.

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ction first made to the Court in this behalf
. Robinson, it is ordered that B. W. Leigh
f San Francisco, State of California be
to practice as an Attorney and Counsel
his Court and he was sworn accordingly.

John A. Maddux - pffin in Error to the
vs Circuit Court
Theodore Van Brunt George F. of the United
Van Brunt & Charles S. Watrous States for the
partners trading & doing business Southern Dis-
under the name & Style of Van Brunt & Watrous trict of Illinois.

Mr Linton of Counsel for the defendant in error having filed and read in open Court the following Certificate, to wit:

"United States of America
Southern District of Illinois ss
In the Circuit Court of the United States for the Southern District of Illinois
January Term A.D. 1859.

Theodore Van Brunt George F. Van Brunt & Charles S Watrous partners trading & doing business under the name & Style of Van Brunt & Watrous } Assumpsit
vs
John E. Maddux.

This day came again the parties by their Attorneys, and also came the Jury sworn herein; and after hearing the evidence and argument of Counsel and in-

members of the Court retired to consider upon their verdict and after having duly considered of the same returned the following verdict to wit "We the Jury find for the plaintiffs and assess their damages to the sum of Five Thousand three hundred and twenty dollars."

It is therefore considered and adjudged by the Court that the said plaintiffs recover of and from the said defendant their damages in form aforesaid as found by the Jury amounting to the sum of Five Thousand Three Hundred and twenty dollars as well as their costs and charges herein about their suit in this behalf expended amounting to the sum of Dollars and cents, and that they have an execution therefor.

Whereupon the defendant by his Attorneys enters his motion for a new trial herein.

And now, to wit: the 11th day of February of the January Term A.D. 1860, came again the parties by their Attorneys, and the Court being now sufficiently advised of and concerning the defendants motion for a new trial herein doth order that the same be

overruled.

And afterwards, to wit: On the 22nd day of February A.D. 1854 came the Plaintiff aforesaid and filed his writ of error, which is in the words and figures as follows to wit.

United States of America. S.S.

The President of the United States

To the Judges of the Circuit Court holding in and for the Southern District of Illinois

Greeting

Because that in the record and proceedings and also in the rendering of judgment in a suit before you or some of you between Benson Gordon Plaintiff, and John G Bradley defendant in a plea of assumpsit, a manifest error hath intervened to the great damage of the said John G Bradley as in his complaint has been stated.

Now as it is just and proper that the error if any there be should be corrected in due manner, and that full and speedy justice should be done to the parties aforesaid in this behalf, you are hereby commanded that if judgment thereof be given then under

your said you do distinctly and openly send the record and process in the said aforesaid with all things concerning them and this writ so that you have the same before the Chief Justice and the Associate Justices of the Supreme Court of the United States on the first Monday of December next at Washington being the present seat of the National Government that the record and process aforesaid being inspected they may cause to be done thereupon what of right ought to be done.

Witness the Hon. Roger B. Taney Chief Justice of the Supreme Court at Washington aforesaid the 22d day of February A.D. 1859 and of the Independence of said Court in the year of our Lord one thousand eight hundred and fifty eight and of our Independence the 83d.

George W. Towny
Clerk

– and afterwards to wit on the day last aforesaid the said defendant filed in the Clerks office of the Court aforesaid the following Citation, to wit:

United States of America ss.

The President of the United States of America, George F.

Ian Brunt and Charles S. Watson.

Greeting:

You are hereby cited and admonished to be and appear at a Supreme Court of the United States to be holden at Washington on the 1st Monday in the month of December next pursuant to a writ of error filed in the Clerks Office of the Circuit Court of the United States for the Southern District of Illinois, wherein John E. Madden is plaintiff and you are defendants in error to show cause if any there be why the judgment in the said writ of error mentioned should not be corrected, and speedy justice should not be done to the parties in that behalf.

Witness Samuel H. Treat District judge of the United States for the Southern District of Illinois, and one of the Judges of the Circuit Court for said District this 22d day of February in the year of our Lord Eighteen Hundred and fifty nine - and of our independence the 83d year.

S. H. Treat

Dist: Judge &c.

United States of America
Southern District of Illinois } ss.

I, Stephen A. Corniam, Clerk pro tempore of the District Court of the United States for the Southern District of Illinois, do hereby certify the foregoing to be a true and correct copy of a judgment entered in said Court in the above cause on the day and date hereinbefore mentioned above, and of the writings of the said Court thereon.

And I further certify that the record of said writ of error and citation thereon was duly filed in said Court on the day and date above mentioned as also an original bond in the penal sum of Forty six hundred and forty dollars to the defendants in Error, by the said plaintiffs in error conditioned &c.

And I further certify, that the said plaintiffs in error have not since the issuing out and filing of the said Writ of Error, Citation and bond applied for or obtained a Record of the Case, as required by Rules of the Supreme Court of the United States.

Witness my hand and the Judicial Seal of said Court at Springfield in

said District this 23d day of
January A.D. 1860 and of
our Independence the 84th year,
S. A. Corneau
Clerk for Com."

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this court or in any wayle pursuant said writ of error, now here moved the Court in pursuance of the 6th rule of this Court to have this writ of error dismissed - In consideration whereof it is now here ordered & adjudged by this Court that this writ of error to the District Court of the United States for the Southern District of Illinois be and the same is hereby dismissed and dismissed with costs and that the cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

For Mr Justice Wayne -

Friday, February 10th 1860. Continued.

United States of America
Southern District of Illinois } ss.

I, Stephen A. Corneau, Clerk pro tempore of the District Court of the United States for the Southern District of Illinois, do hereby certify the foregoing to be a full true and correct copy of a judgment entered in said Court in the above cause on the day and date hereinbefore mentioned above, and of the entries of the said Court thereon.

And I further certify that the record of said cause and petition thereon was duly filed in said Court on the day and date aforesaid, and that an appeal bond in the penal sum of Forty six hundred and sixty dollars to the defendants in Error, by the said plaintiffs in Error was duly filed &c.

And I further certify, that the said plaintiffs in Error have not since the issuing out and filing of the said Writ of Error, Citation and bond aforesaid, to me obtained a Record of the Case, as required by Rules of the Supreme Court of the United States.

Witness my hand and the Judicial Seal of said Court at Springfield in

said District this 25th day of January A.D. 1860 and of our Independence the 84th year.

S. H. Treman

Clerk for Com."

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this court or in any manner prosecute said writ of error, now here moved the Court in pursuance of the 6th rule of this Court to have this writ of error docketed and dismissed - On consideration whereof it is now here ordered & adjudged by this Court that this writ of error to the District Court of the United States for the Southern District of Illinois be and the same is hereby docketed and dismissed with costs and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

Per Mr Justice Wayne -

221 Myra Clark Gaines is Appt
Duncan N. Kennan

Mr Magruder of counsel for the Complainant moved the Court for leave to submit this cause on the printed arguments of the counsel respectively on both sides now on file. Thereupon this Court not being now sufficiently advised of said cause ordered that the further consideration thereof be continued to the next term.

206 SCT 1858 The United States is Appts
Lucas P. Cruz

Mr Attorney General Black presented reasons in support of his motion to recall the order dismissing the appeal in this case and to recall the mandate issued in this case to the District Court of the United States for the Southern District of California.

78 The United States is Appts
The Guadalupe Mining Co.

On the motion of the Dist Atty of counsel for the appellants and with the assent of Mr Attorney General Black of counsel for the appellants. It

it is now here ordered by the Court that this cause be and the same is hereby Continued to the next Term of this Court.

The United States vs. Defts James G. Galbraith et al.	The argument of this cause was commenced by Mr Grier of Counsel for the defendants and Continued by Mr Stephens and Mr Brent of Counsel for the defendants

Proclamation being made the Court is adjourned until Monday morning at 10 o'clock A.

Monday February 13th 1860.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John McLean,
" " James M. Wayne,
" " John Catron, Associate
" " Samuel Nelson, Justices
" " Robert C. Grier,
" " John A. Campbell,
" " Nathan Clifford,

William Sidon, Esquire, Marshal
William Thomas Carroll, Clerk,

Proclamation being made the Court is opened.

On motion first made to the Court in this today by Mr. Grier it is ordered that Simon Bamberger, Esquire of Indianapolis State of Indiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly —

The United States	Appeal from the Dis
vs. Appelts	trict Court of the
Vicente P Gomez	United States for the
	Southern District of California

On consideration of the motion made by the Attorney General that on a future day of the present term of this Court to wit, on Friday the twenty seventh of January A.D. 1860 to issue the mandate made by this Court dismissing this appeal at the last term of this Court to wit on the 13th of January A.D. 1859, and to make the mandate issued by this Court to the District Court of the United States for the Southern District of California. It is now here ordered by this Court that all further proceedings under the said mandate be suspended in the said District Court, and that the Judge of the said district do suspend any and all further proceedings in the said case until the further order and direction of this Court, and it is also now here further ordered that the Clerk of this Court do forthwith send to the Judge of the District Court of the United States for the Southern District of California

a copy of this order under the seal of this Court and it is also now here further ordered by the Court that counsel in opposition to the aforesaid motion of the Attorney General shall be heard on the next motion day in this Court.

per Curiam.

Abner Cain & Henry Hays Exrs of Robert H Cain dec'd vs. Appeals Alexander McCaskey et al

Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi and was argued by counsel On consideration whereof it is now here ordered and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree perpetuating the injunction in this cause in conformity to

The opinion of this court
per Mr Justice Campbell

55

The Philadelphia, Wilmington & Baltimore Railroad Company
vs.
The Philadelphia Steam & Sea Steam Towboat Company

Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel

On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the courts of the State of Maryland

per Mr Justice Grier

Joseph S. Cucullu vs. Plaintiff in Error
Louis Cummerling. Defendant in Error

52

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

per Mr Justice Grier.

Ex parte: In the matter of Mary B. Ponsot vs. Comptr Joseph H. Wilkinson.

On a petition for a peremptory Mandamus.

7 mig

On consideration of the petition for a mandamus in this case, of the answer of the Honorable Theron McCaleb District Judge

of the United States for the Eastern District of Louisiana, and of the arguments of counsel thereupon had as well in support of as against the passage of the prohibitory. It is now here ordered and adjudged by this Court that that the mandatory passage for be and the same is hereby denied and that the said prohibition be and the same is hereby dismissed.

Jno Mc Lean Dissg

The United States
vs Appeals
James B Eastbrook &c

The arguments of this cause were continued by Mr. E M Stanton of counsel for the appellants

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The United States
vs Appeals
Antonio Maria Osio

This cause was argued by Mr Stanton of counsel for the appellants

The United States
vs. Appeals
The Widow & Heirs of
Marcus West, decd

The argument of this cause was commenced by Mr Stanton of counsel for the appellants and continued by Mr Bingham of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John M. Read
" " James M. Wayne,
" " John Catron, Associate
" " Samuel Nelson Justices
" " Robert C. Grier,
" " John A. Campbell
" " Nathan Clifford

William Seldon Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. M. Stanton, it is ordered that S. W. Finley Esq. of Williamsport State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Benham it is ordered that Henry P. Hamm Esquire of Marysville, State of California, be admitted to practice as an Attorney & Counsellor of this court and he was sworn accordingly.

75 The United States vs. Appts
The Widow and heirs of Marcus West, decd

The argument of this cause was continued by Mr Benham of counsel for the appellees and concluded by Mr Stanton of counsel for the appellants.

76 The United States vs. Appts
Jos. Antonio Meiss

The argument of this cause was commenced by Mr Stanton of counsel for the appellants, and continued by Mr Leigh & Mr Robinson of counsel for the appellees and concluded by Mr Stanton for the appellants.

77 | Swan, Griffith & Co. vs. Riley & al. Bancroft & Brown & a. | This cause was submitted to the consideration of the court on the record and printed argument of Mr Hopkins of counsel for the defendants in error.

79 | The United States vs. Apsley & Antonio Maria Osio | The argument of this cause was commenced by Mr Hamilton of counsel for the appellants and continued by Mr Gillet of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday, February 15th 1860.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean,
" " James M. Wayne,
" " John Catron, Associate
" " Samuel Nelson, Justices.
" " Robert C. Grier,
" " John A. Campbell,
" " Nathan Clifford.

William Tilden Carroll, Marshal
Marian Thomas Carroll, Clerk,

Proclamation being made the Court is opened.

The United States
vs. Appeals
Antonio Maria Cisi

79

The argument of this cause was continued by Mr. Gillet of counsel for the appellee & concluded by Mr. Walton of counsel for the appellants.

The United States
vs. Appeals
Francisco Piedgal

80

The argument of this cause was commenced by Mr. Stanton of counsel for the appellant and continued by Mr Gillet

of Counsel for the appellees.

115	Edwin G. Adams vs. Appellee. Samuel Norris.	On the motion of Mr. Stanton of Counsel for the defendant in error and with the assent of Mr. Benjamin of Counsel for the plaintiff in error, - It is now here ordered by the Court that this cause be and the same is hereby set down for argument on the second Monday of April next it being the ninth day of said month.
114	Edward Winslow vs. Appellee James B. Lane Sub.	On the motion of Mr. Stanton of Counsel for the appellees & with the assent of Mr. Reverdy Johnson of Counsel for the appellant - It is now here ordered by the Court that this cause be and the same is hereby set down for argument on the third Monday of April next it being the 16th day of said month

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clk

1. 11331

Thursday. February 16th 1860.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John. McLean.
" " James M. Wayne.
" " John Catron Associate
" " Samuel Nelson Justices.
" " Robert C. Grier.
" " John A. Campbell
" " Nathan Clifford.

William Selden, Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

80 The United States Appts vs Francisco Fuentes et al. The argument of this cause was continued by the Letter of counsel for the appellees and concluded by the Attorney of counsel for the appellants

81 Adam Eyster & al
vs
The Penn Mutual Ins Co.

This cause was argued by Mr. Ellet of counsel for the appellants and submitted on a printed argument by the Counsel of counsel for the appellees.

Proclamation being made the Court adjourned until tomorrow morning at eleven o'clock.

Friday February 17th 1860.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John McLean
" James M. Wayne
" John Catron
" Samuel Nelson
" Robert C. Grier
" John A. Campbell
" Nathan Clifford.

Associate Justices

William Selden Esquire Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon H. Winter Davis it is ordered that Charles F Adams Jr Esquire of Boston, State of Massachusetts be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Cochrane it is ordered that William Dean Esquire of Yonkers State of New York be admitted to practice as an Attorney and Counsellor of this Court and he is admitted accordingly.

The United States vs Appeals Vicente F. Gomez.	On the motion of Mr Gillet. It is now here ordered by the Court that the motion filed by the Attorney General on a four days notice to the opposite counsel to wit: on Friday the 29th ultimo. be and the same is hereby set down for argument on the first Friday of March being the 2nd day of said month.

Henry C. Clark et al. vs. Writs in Er. Henry C. Bowen et al	The argument of this cause was commenced by Mr Dillon of counsel for the plaintiffs in error, continued by Mr Lynde of counsel for the defendants in error and concluded by Mr Cochrane for the plaintiffs in error.

82.

William H. Phillips
vs. pltff in er
Levin Page.

311 On the motion of Mr Johnson of counsel for the defendant in error it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket.

John B Beauchamp et al.
vs. Appts
Antoine Beauchamp et al.

85 This cause was submitted to the consideration of the Court on the record and printed argument by Mr Blair Smith of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable John McLean,
" " James M. Wayne,
" " John Catron, Special
" " Samuel Nelson, Justices
" " Robert C. Grier
" " John A. Campbell
" " Nathan Clifford.

William Selden, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Ex parte: In the matter of the United States on the relation of Richard K. Crawford vs Henry Addison

8

On the petition of Richard K. Crawford for a peremptory mandamus or for a rule to show cause

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On consideration of the petition for a peremptory mandamus or for a rule to show cause, and of the arguments of Counsel thereupon had as well in support of as against

the prayer of the petitioner, It is now here ordered and adjudged by this court that the mandamus prayed for be and the same is hereby denied and that the said petition be and the same is hereby dismissed.

Counting, — } per Mr Chief Justice Taney
Mr Justice Wayne }
" " Clifford }

12 William Bowman, Plaintiff in Error, vs. William Wakefield, Defendant in Error. Appeal from the Supreme Court of the Territory of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Minnesota and was argued by counsel - On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Supreme Court of the Territory of Minnesota in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the Supreme Court of the State of Minnesota for further proceedings to be had therein in conformity to the opinion of this Court

per Mr Ch. Jus. Taney.

Robinson Lytle & wife and Nathan H Hoyt, et al. vs. Pliffs in er	The cause to the Supreme Court of the State of — Arkansas
12 The State of Arkansas, Charles B Isbard, Wm Russell et al.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas and was argued by counsel - On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Dissenting - Mr Justice Wayne) Mr Justice Catron
" " Clifford)

Joseph Fenwick and Nathan F Hart Appts vs.	Appeal from the Circuit Court of the United States for the Northern District of Ohio
54 George H Ox Trustee of the Ohio Indiana Louisville & Cincinnati Railroad Comp'y	

This cause came on to be heard on

the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Jm. Wm Jus: Nelson

55. Ann K. Emmett — vs. Seffin & Zephaniah Jones.

In error to the Circuit Court of the United States for the District of Columbia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by counsel. On consideration whereof, it is now here ordered adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in con-

formity to the opinion of this court.

per Mr Just. Wayne

Nathan E. Hooper. Louisa A. Hooper & Amanda E. Hooper minors, by Absalom Fowler their next friend - Plffs in er	In error to the Circuit Court of the United States for the Eastern Dist of Arkansas.
50 vs.	
Jacob Schumer.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by counsel On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr Just. Catron.

Nathan E. Hooper, Louisa J. Hooper & Amanda E. Hooper minors by Absalom Fowler their next friend -	vs	In error to the Circuit Court of the United States for the Eastern District of Arkansas.
66	pltffs in er	
Elias N. Conway.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Catron -

The United States - appts	vs	Appeal from the District Court of the United States for the Northern District of California.
66		
John Rose & Geo: Kinnick		

This cause came on to be heard on the transcript of the record from the Dis-

last Court of the United States for the Middle District of California and was argued by Counsel - On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the petition of the Claimants

Jos. McLean Assc. Campbell.

Joseph Kimbro - Plffs in Err

vs.

Hubbard Bullitt, Thomas D. Miller & Lloyd B. Addison partners in trade under the name & style of Bullitt, Miller & Co.

In Error to the Circuit Court of the United States for the Middle District of Tennessee

770.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this

Court that the judgment of the said Circuit Court in this cause, be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Tennessee.

Per Mr. Justice Clifford.

William B Sutton, Samuel Griffith & James Sutton co partners under the firm & style of Sutton Griffith & Co. pltffs in er

vs

Stacy B. Bancroft, Thomas Beaver & Co partners under the firm & style of Bancroft Beaver & Co.

In error to the District Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Arkansas and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs and interest at the rate of ten per centum per

annum until paid.

Per Mr Jus. Grier

86 The United States vs Appts Augustin Olvera — Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and was submitted to the Court by Mr E M. Stanton of counsel for the appellants. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed

Per Mr Jus. McLean.

87 The United States Appts vs. Augustin Olvera & Chas Jordan Lands Petitioned for &c. — Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard

on the transcript of the record from the District Court of the United States for the Southern District of California and was submitted to the Court by Mr. E. M. Stanton of counsel for the appellants. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Per Mr. Justice McLean

88

The United States Appts
vs.
Jose Joaquin Ortega and Thornton and his wife et al Edward Stokes deceased.

Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and was submitted to the Court by Mr. E. M. Stanton of counsel for the appellants. On consideration whereof it is now hereby ordered adjudged and decreed by this Court that the decree of the said District Court in this

cause be and the is hereby affirmed

for Mr Just McLean

The United States Appellee
vs
Jose Joaquin Ortega for himself and as administrator of the estate of Edward Stokes deceased.

Appeal from the District Court of the United States for the Southern District of California.

89

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and was submitted by the counsel by Mr Ewing Stanton of counsel for the appellants — On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby affirmed.

for Mr Just McLean

93	The United States Appts vs. Thomas J Downing et al.	Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was submitted by Mr. E M Stanton of Counsel for the appellants. On consideration whereof and on the motion of Mr Gillet of Counsel for the appellees it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Per Jno. Tucker McLean

94	The United States Appts vs. Antonio Jose Pico et al.	Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was submitted by the

Court by Mr. E. M. Stanton of Counsel for the appellants. On consideration whereof and on the motion of Mr. Stanton of Counsel for the appellants it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed

per Mr. Just. McLean.

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111 The United States } Appeal from the Circuit
vs } Court of the United States
Ferdinand Vassault } for the Southern District
of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the South. District of California and was submitted by Mr. E. M. Stanton of Counsel for the appellants On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same hereby affirmed.

per Mr. Just. McLean

102	The United States vs Thomas Cochran Augustin Alviso	Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was submitted by Mr. Stanton of counsel for the appellants On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Jr. Wm. Sup. McLean

103	The United States vs Espiracion Ibarra Teresa H Carpentier	Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of

California and was submitted to the Court by Mr. E. M. Stanton of Counsel for the appellants - On consideration whereof it is now hereordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Mr Justice McLean

1189 The United States — vs — Antonio Maria Pico & Henry M Naglee

Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and was submitted to the Court by Mr. E. M. Stanton of Counsel for the appellants On consideration whereof and on the motion of Mr. Blair of Counsel for the appellants, it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Mr Justice McLean

110	The United States vs Appts Maria Manuela Larios	Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was submitted to the Court by Mr C.M. Stanton of counsel for the appellants. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Per Mr Justice McLean.

126	The United States vs Appts Ramon Rodriguez et Francisco Alviso.	Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was submitted to the Court by Mr C. M. Stanton of counsel for the appel-

lants. On consideration whereof it is now hereordered adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Per Curiam

163 The United States vs Hiram Marsh

Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was submitted by the Counsel for the appellants. On consideration whereof it is now ordered adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby affirmed

Per Curiam Jus. McLean

Monday, February 20th 1854 Continued -

72	The United States vs Appeals James G. Galbraith &c	This cause was further submitted to the consideration of the Court on a printed argument by Mr. Hepburn of counsel for the appellees
85	John B Bambian &c vs Appeals Antonia Bambian &c	On the motion of Mr. Black of counsel for the appellants it is now here ordered by the Court that the cause be and the same is hereby granted him to submit another brief in this case.
122	The United States vs Appeals Hiram Grimes	On the motion of Mr. Wingfield of counsel for the appellees and with the assent of Mr. Hanson of counsel for the appellants: It is now here ordered by the Court that this cause be and the same is hereby continued to the next term

Proclamation being made the Court is adjourned until ten o'clock morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John McLean,
" James M. Wayne,
" John Catron, Associate
" James Nelson, Justices
" Robert C. Grier,
" John A. Campbell
" Nathan Clifford.

William Selden Esqr. Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Bradley it is ordered that H. T. Forest Esqr. of Cincinnati State of Ohio be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

	Charles Brown, late collector &c,	In error to the Circuit Court of the United
213	vs. plffin.	States for the Eastern
	Cinon G. Parrish	District of Pennsylvania.

And thereupon it came to be considered by the Court in this behalf that the judgment aforesaid in manner and form aforesaid rendered be affirmed and that the said plaintiff in error pay to the said defendant in error his costs by him about his defence in this behalf expended and also that the said plaintiff in error pay to the said defendant in error his damages by reason of the delay of execution of the said judgment which said costs and damages are ascertained by the Court here to amount to the sum of Two hundred and fifty dollars and thereupon the said plaintiff in error by his counsel prayed the Court here that a writ of error might be allowed him to the Supreme Court of the United States for the purpose of reversing the judgment aforesaid which prayer was granted by the Court here and thereupon the said plaintiff in error entered into recognizance with sufficient security according to the form of the statute in such case made and provided conditioned that he should prosecute his said writ of error to effect and answer all damages and costs if he should fail to make his plea good.

And now to wit, that is to say, on the day and year last aforesaid, the said plaintiff in error by his counsel aforesaid filed in the Clerk's Office of the Circuit Court of the United States in and for the Eastern District of Pennsylvania a certain assignment of errors in the words following, to wit:

Charles Brown, late collector &c, vs. Cinon G. Parrish. In error to the Circuit Court of the United States for the Eastern District of Pennsylvania

from the Supreme Court of the United States in said cause which was duly allowed on the thirty first day of May 1859 and that the said writ was duly delivered to the Attorney for the defendant Charles Brown by the Clerk of said Court on the sixth day of July 1859.

Witness my hand and the seal of said Court at Philadelphia this 13th day of February 1860, and in the 84th year of the Independence of the said United States.

SEAL

J. Burchard, Asst Atty
Clerk U.S."

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of Error now has moved the Court in pursuance of the 9th rule of this Court to have this writ of Error docketed and dismissed - On consideration whereof it is now here ordered and adjudged by this Court that this writ of Error to the Circuit Court of the United States for the Eastern District of Pennsylvania be and the same is hereby docketed and dis-

supported with costs, and that this cause be and the same is hereby remitted to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding

for Ann. Just: McLean.

The Associate Justices not having been Present

286 vs. Piffin

The Reporter of the Morning Herald in Hanover St in the Town of Boston.

Mr Cushing presented the Stipulation of Mr Babbitt & himself filed this date in this case and waiving the privilege granted him on Friday 3 of February of filing a brief now here in behalf of his client, submitted the motion on the record & said Stipulation.

Charles Emerson -

91 vs. Piffin er.

Horatio N. Slater.

The argument of this cause was commenced by Mr Cushing of counsel for the plaintiff in error, continued by Mr Bates of Counsel for the defendant in error & concluded by Mr Cushing for the plaintiff in error.

Proclamation being made the Court is adjourned until Thursday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John M. Lean
" " James M. Wayne
" " John Catron, Associate
" " Samuel Nelson, Justices
" " Robert C. Grier,
" " John A. Campbell
" " Nathan C. Clifford

William Sloane, Esquire Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

The United States vs. Apsley Andrew Gardiner. This cause was argued by the Attorney General for the appellants

Martin Very vs. Jeffries George G. Watkins. This cause having been called for argument and no counsel appearing ready to proceed with the same, It is therefore now ordered by the Court that this cause be

and the same is hereby postponed to the first of the docket.

	The United States vs. Jeffries John A Walker	These causes were argued by Mr J. M. Campbell of counsel for the plaintiffs in error on the motion of Mr Benjamin leave is duly granted Mr R. C. Smith of counsel for the defendants in error to submit these causes on a printed Argument in behalf of his clients.
93	The United States vs. Jeffries Arthur J Hopkins. and	
94	The United States vs. Jeffries Richard Lee Fearn.	

95	The Insurance Co of the State of Vienna. vs. Jeffries. Moses C. Mordecai	The argument of this cause was commenced by Mr Robinson of counsel for the plaintiffs in error continued by Mr Phillips of counsel for the defendants in error and concluded by Mr Robinson for the plaintiffs in error.

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98 The United States vs. Appts James Dunphy. This cause was submitted to the Consideration of the Court on the record by Mr. Stanton of Counsel for the Appellants.

100 The United States vs. Appts The Widow, Heirs & executors of Wm. C. P. Hackett dec'd. The argument of this cause was commenced by H. M. Stanton of counsel for the appellants.

Continued by Mr. Bingham of Counsel for the appellees and Concluded by Mr. Stanton for the appellants.

103 The United States vs. Appts Emanuel Pratt. This cause was submitted to the consideration of the Court on the record by Mr. Stanton of Counsel for the appellants.

1181 Thursday - February 23d 1860 Continued

The United States vs Appts The Heirs of Fernandez de Haro dec'd	Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and was submitted to the Court by Mr E M Stanton of Counsel for the appellants On consideration whereof and on the motion of Mr Phillips of Counsel for the appellees it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Per Mr Justice McLean

Proclamation being made the Court is adjourned until tomorrow morning eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John McLean	
"	James M. Wayne	
"	John Catron	Tyrone & Indiana
"	Samuel Nelson	
"	Robert C. Grier	
"	John A. Campbell	
"	Nathan Clifford.	

Marcus Brown Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court on this behalf by Mr Reverdy Johnson, it ordered that Hilton Wheatley Esquire of Baltimore State of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Edward H. Castle &c
by &c of &c. Hitchcock &c
vs
Phillips &c
Edward H. Bullard

On the motion of Mr. Gillet of counsel for the defendant in error. It is ordered by the Court that the Clerk may issue a writ of procedendo in this case during the present term.

Ferdinand N. Clark
vs
Appt.
William H. H. Hackett

On the motion of Mr. Kinsley Johnson of counsel for the appellee - It is now here ordered by the court that the motion filed by the said counsel to dismiss this case be and the same is hereby set down for argument on next Friday week the 9th proximo.

William Wiseman
vs
Phillips &c
John Chiappella

This cause was argued by Mr. Benjamin of counsel for the plaintiff in error - And on the motion of Mr. Denio of counsel for the defendant in error leave is granted him to file and submit a printed argument in behalf of his client.

Thomas Gonzales
vs Appt
The United States.

107

The argument of this cause was commenced by Mr Hilsbon of counsel for the appellant continued by Mr Stanton of counsel for the appellees and concluded by Mr Hepburn for the appellant

The United States
vs Appts
Viante P. Gomez

244
DT 1858

On the motion of Mr Johnson. It is ordered by the Court that the motion entered for next Friday be set down for argument on next Friday week the 9th day of March next

The United States
vs Appts
The heirs of Francis de Haro

112

The argument of this cause was commenced by Mr Stanbery counsel for the appellants, continued by Mr Phillips of counsel for the appellees and concluded by Mr Hanson for the appellants.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John McLean
" " James M Wayne.
" " John Catron Associate
" " Samuel Nelson. Justices.
" " Robert C Grier,
" " John A Campbell,
" " Nathan Clifford

William Selden, Esqre, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

63	The United States vs Appl William Dennitz	Appeal from the District Court of the United States for the North District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the North District of California and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree

of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the petition of the Claimant

per Mr Justice Campbell

The United States
vs
Jose Antonio Alvarez

Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Mr Justice Campbell

Monday February 27th 1860 Continued

The United States	Appeal from the Dist.
vs. Appeals	Court of the United
Chs. E. White admr &c	States for the Northern
Charles White dec'd	District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel.

On consideration whereof, it is now here ordered adjudged and decreed by this Court that the appeal be and the same is hereby dismissed and that this cause be and the same is hereby remanded to the said District Court with directions to suspend further proceedings for a reasonable time until the heirs or assigns of Juan Alvarado if they shall see fit so to do may have an opportunity to contest the claim under Congress according to the provisions of the thirteenth section of the Act of 3d March 1851 entitled "An act to ascertain and settle the private land claims in the State of California" and for such further proceedings as to justice and right may appertain.

Per Curiam. Grier.

34

Thos. A Burkhead pet	An appeal to the
vs. Appellee.	Supreme Court of the
Sol. Wm Lewis & wife & ors	State of Missouri

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Mr. Justice Gray

73

The United States	Appeal from the Circuit
vs. Appellee	Court of the United
Frederick and heirs	States for the State
of Massachusetts &c	and District of Califor-
	nia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the State and District of California and was argued by counsel. On consideration whereof, it is now here ordered and adjudged and decreed by this Court

Monday February 27th 1882 Continued.

that the term of the said District Court in this cause be and the same is hereby appointed for the last Tuesday.

Christian A. Zabriskie
vs
Apgt
The Cleveland Columbus
Cincinnati R R Co

On the motion of Mr. Hanson of counsel for the appellant it is ordered that the time for the appellant to file his assignment of errors and bill of exceptions herein be and the same is hereby extended to the first day of the next term of this Court.

113 John T. Peter
vs
Jesse Hewitt Exr.

The argument of this cause was commenced by Mr Carlisle of counsel for the plaintiff in error continued by Mr Rapier of counsel for the defendant in error and concluded by Mr Carlisle for the plaintiff in error

Proclamation being made the Court adjourned until tomorrow morning at eleven o'clock.

Tuesday February 28th 1860.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John McLean,
James M. Wayne,
John Catron,
Samuel Nelson
Robert C. Grier
John A. Campbell
Nathan Clifford.
} Associate Justices.

William Thomas Carroll Clerk.
William Howard Marshal.

Proclamation being made the Court was opened.

The United States
vs
James R. Belton

On the motion of Mr Stanton suggesting the indisposition of Mr Attorney Gen! Black

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It was now here ordered by the Court that the argument of this cause be and the same is hereby postponed to Tuesday the tenth of next April.

	The Aurora Mutual Insurance Co.	On the motion
130	vs Plaintiff in error	of Mr Rockwell
	John L Wright use of	in behalf of the
	Maxwell Wright & Co.	Authority of counsel
		for the plaintiff in
		error and with

the assent of Mr Brent of counsel for the defendant in error. It is now here ordered by the Court that this cause be and the same is hereby set down for argument on Monday the twelfth day of March

	The Orient Mutual	On the motion of
	Insurance Co.	Mr. Hamilton of
131	vs Plaintiff in	counsel for the plain-
	John L Wright use of	tiff in error and
	Maxwell Wright & Co.	with the assent of

Mr Brent of coun. sel for the defendant in error. It is now here ordered by the Court that this cause be and the same is hereby set down for argument on Monday the twelfth day of March.

	The Canton Co. of Augustin & Charlestown	The argument of this cause was commenced by Mr. Blair of counsel for the appellants continued by Mr. Stanton of counsel for the appellees and concluded by Mr. Blair for the appellants.
115	vs. Appeal	
	The United States.	
	William Wiseman	This cause was further submitted to the court on a printed
106	vs. Appeal	argument by Mr. Lewis
	Philip Christopher	of counsel for the defendant in error.
	Samuel Beebe	This cause was ar-
116	vs. Error	gued by Mr. Gillet of
	Isaac Coleman	counsel for the plain- tiff in error.
	John Pitch-Appt.	This cause having
118	vs.	been called for argu-
	Edward Creighton.	ment and no counsel
		appearing ready to

proceed with the same It is therefore now

has ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket.

119	Thomas A. Walton vs Fitzhugh & Settlejohn.	This cause having been called for argument and no counsel appearing ready to proceed with the same - It is therefore now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket.
123	The United States vs Assets the heirs of Simon Lanchez de Pacheco, dec'd	This cause was argued by Mr Hunter of counsel for the appellants
124	The United States vs Assets Mariano G. Vallejo	The argument of this cause was commenced by Mr. Hunter of counsel for the appellants continued by Mr Phillips of counsel for the appellees and concluded by Mr Hunter for the appellants.

Tuesday February 28th 1865 Continued.

The United States
vs. Assets
&c. Heirs and heirs of
&c. &c. &c.

This cause was
argued by Mr.
Stanton of Counsel
for the appellants
and by Mr Gould
of Counsel for the appellees.

Proclamation being made the Court is adjourn-
ed until tomorrow morning at ten o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John McLean	
	James M Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C Grier	
	John A Campbell	
	Nathan Clifford	

William Seldon Esquire, Marshal
William Thomas Carroll Clerk,

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Coudert, it is ordered that Robert Lodge Esquire of New York City, State of New York be admitted to practice as an Attorney and Counsellor of this Court and he is admitted accordingly

Wednesday, February 29th 1860 Continued -

Isaac W. Sweet
vs Appeals
The United States

Mr Dunham of counsel for the appellants moved the Court for an extension of the time for the argument thereupon this Court being now sufficiently advised of and considering what order to enter in the premises took time to consider.

Isaac Sweet
vs Appl
Hiram A Tucker

This cause was argued by the counsel of counsel for the appellee and submitted on a printed argument by Judge Carter in behalf of the appellant.

Samuel Phillips Sweet
vs Appeals
Geo. I. Hoxie Jun.

On the motion of Mr Parker of counsel for the defendants in error suggesting the death of J. S. Phillips Esq. the counsel for the plaintiff in error. It is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

127	The United States vs Jeffries & George A Stewart	Mr Stanton having suggested the illness of Mr Attorney General Black now here moved the Court in his behalf to continue this cause. On consideration whereof it is ordered by the Court that this cause be and the same is hereby continued to the next term.
128	The United States vs Jeffries & Charles A Dana	Mr Stanton having suggested the illness of Mr Attorney General Black now here moved the Court in his behalf to continue this cause. On consideration whereof it is ordered by the Court that this cause be and the same is hereby continued to the next term.
131	Angelina B Ebaly & Baylon Swift, by his next friend said A B Ebaly vs. Jeffries & Lewis Moore et al.	This cause having been called for argument and no counsel on the side appearing ready to proceed with the

same it is therefore now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

132 Geo. D. Woodward, ats
vs
Lorenzo N. Enquist et al.

This cause was submitted to the consideration of the Court on the oral and printed arguments by Mr. Dodge of counsel for the appellants and by Mr. Dunbar of counsel for the appellee, and upon the application of the said counsel respectively, it is now here ordered by the Court that leave be and the same is hereby granted to the said counsel or their associates on either side to file and submit any additional arguments on either side in this cause on or before next Friday week the 9th day of March next.

133 Louis Desegral vs Jeffries ex. & P. Huntingdon Sgal

On the motion of Mr. Phillips of Counsel for the plaintiffs in error suggesting the indisposition of the Counsel of Counsel for the defendants in error, it is now here ordered by the Court that this cause be and the same is hereby set down for argument on next Monday the 5th day of March.

134 Thomas J. Green vs Jeffries William Custard

This cause was argued by Mr. J. P. Stanton of Counsel for the plaintiff in error.

135 Alexander Castle vs Appeal Fred. A. Hinrichs, Com.rs

Mr. Stanton having suggested to the Court the indisposition of Mr. Ewing, one of Counsel for the appellee now here moved the Court to postpone this cause. Whereupon it is now here ordered by the Court that this cause be & the same is hereby postponed for the present.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

1860 Thursday, March 1st 1860.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean,
James M. Wayne,
John Catron,
Samuel Nelson,
Robert C. Grier
John A. Campbell
Nathan Clifford
} Associate Justices.

William Selden Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by R. H. Thompson, it is ordered that H. M. Dunn Esquire State of Indiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

137 Henry A. Burgan
vs. appl
Geo: E. Coupersthwait & al

This cause having been called for argument and no Counsel appearing ready on either side to proceed with the same, it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of Court.

138 Christ Church Philadelphia
by bill &c
vs
The County of Philadelphia

Mr. McCall of Counsel for the plaintiffs in error moved the Court to fix some future day for the argument of this case. Upon consideration whereof it is now here ordered by the Court that the said motion be and the same is hereby overruled.

138	Christ Church Philadelphia in trust for Christ Church Hospital vs. Philip in &. The County of Philadelphia	On the motion of Mr. McCabe of counsel for the plaintiffs in error it is

now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket

139	Israel Morgis & Co. of the Steam Tug Hector &c. Appts vs. Erwan Boyer claimants of the Lighter Republic	This cause having been called for argument and no counsel appearing to any on either side to proceed with the same it is therefore now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

111	Wm H. Chandler Appellee vs. Appellees William A. Linn	On the motion of Mr Stanton in behalf of the Attorney General Blank it is now here ordered by the Court that this cause be and the same is hereby dis-
96	William H. Belcher et al vs. Appellees William A. Linn	
	missed for the want of prosecution	
112	José Dolores Pacheco's admr vs. Appellt The United States	The argument of this cause was commenced by Mr Cooke of counsel for the appellant continued by Mr Stanton of counsel for the appellees and concluded by Mr Wood for the appellant.
113	The Executor, Widow & heirs of Ferdinand Arteche, decd vs. Appellt William H. Woodcock.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Pike of counsel for the appellants and by Mr Meigs of counsel for the appellee

1111	Miguel Garcia vs Appellee. Louis Mumpower	This cause having been called for argument and no counsel appearing ready on either side to proceed with the same it is therefore now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 20th rule of Court.
85	Lebbeus B. Bumbargar vs Appeals Catherine Bumbargar	On the motion of the Clerk of counsel for the appellees it is now here ordered by the Court that leave be and the same is hereby granted the counsel for the said appellees to file and submit a printed argument in behalf of their client in this case on or before tomorrow week the ninth instant.
115	James Tobin vs Appellee Robert Workinshaw Jr.	On the motion of the Clerk of counsel for the plaintiff in error and with the consent of the Clerk of counsel for the defendants in error. It is now here ordered by

the Court that this cause be and the same is hereby postponed to the first day of the next term pursuant to the terms of the Stipulation filed this day in this case.

The Bank of Tittburg
in Pettin ll.
John J. Neal et al.

The argument of this cause was commenced by Mr. Stanton of counsel for the plaintiff in error continued by Mr. A. H. Jenkins of counsel for the defendants in error and concluded by Mr. Stanton for the plaintiff in error.

John G. Kinny Jr.
vs Petition
The People of the State of California.

On the motion of Mr. Benjamin of counsel for the defendants in error, it is now here ordered by the Court that this cause be and the same is hereby postponed for the present.

1111	Miguel Garcia vs. Jeffries. Chas. Thompson	The cause having been called for argument and no counsel appearing ready on either side to proceed with the same, it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket, pursuant to the 26th rule of Court.
85	John B. Bambergar vs. Apfelt Conrad Bambergar	On the motion of the Counsels of counsel for the appellees it is now here ordered by the Court that leave be and the same is hereby granted the counsel for the said appellees to file and submit a printed argument in behalf of their clients in this cause on or before Tuesday next the ninth instant.
1115	James Tobin vs. plff in Robert Workinshaw jr.	On the motion of the Board of counsel for the plaintiff in error and with the assent of the Clerk of counsel for the defendants in error. It is now here ordered by

the Court that this cause be and the same is hereby postponed to the first day of the next Term pursuant to the terms of the Stipulation filed this date in this case.

1156 The Bank of Stockton vs Plaintiff. John A. Neal et al.

The argument of this cause was commenced by Mr Hanford of counsel for the plaintiff in error Continued by Burr W. Henderson of counsel for the respondents in error and concluded by Mr Hanford for the plaintiff in error.

1157 John C Almy Jr vs Plaintiff. The People of the State of California.

On the motion of Mr Benjamin of counsel for the defendants in error, it is now here ordered by the Court that this cause be and the same is hereby postponed for the present.

George H. Hollingsworth
vs. Appeal from
Edward Scott.

131 The Board of Counsel for the defendant in error having suggested the death of George H. Hollingsworth the plaintiff in error since the last continuance of this cause it is ordered by the Court that unless the proper representatives of the said George H. Hollingsworth, deceased shall voluntarily become parties within the first ten days of the ensuing term of this Court, the defendant in error shall be entitled to have the writ of error dismissed. Provided that a copy of this order shall be printed in some newspaper at the seat of government in which the laws of the United States shall be printed by authority, for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court next ensuing.

Proclamation being made the Court is adjourned until tomorrow morning at ten o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Hon.ble John D. Dean
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier.
John Humphreys
Nathan Clifford

} Associate Justices

William Selden Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court was opened.

Mr Justice Wayne announced to the Bar that the Court would adjourn over from this day to Monday the 12th of March: and that the cases which have been postponed or continued on account of the absence or inability of counsel to attend may be submitted on printed arguments at any time before the 25th of March instant.

1869 Tuesday March 23rd Continued

On motion ordered that the Court in this behalf by the Court it is ordered that George H. Wright Esquire of New York City State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Second Writ of Error Number 83	Appeal from the Circuit Court of the United States for the Northern District of California
Martin Gallagher	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and on the motion of Mr. Pringle of counsel for the appellant and with the consent of Mr. Hinchman of counsel for the appellee. It is now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed with costs.

By Mr. Jus. McLean

83 The United States
vs Appeal
James R. Dalton

On the motion of Mr. J. M. Campbell of counsel for the appellee and with the assent of Mr. Stanton of counsel for the appellants, it is now here ordered by the Court that this cause be and the same is hereby set down for argument on Monday the 9th day of April next

135 Salvador Garcia
vs Appeal
The Columbia Com.rs &c.

Mr. Hopkinson of counsel for the appellant moved the Court to fix a day certain for the argument of this case, to which motion is now here ordered by the Court that the said motion be and the same is hereby overruled

76 The United States
vs Appeal
Jose Antonio Aleu

On the motion of Mr. Leigh of counsel for the appellee and with the assent of Mr. Hanson of counsel for the appellants, it is now here ordered by the Court that the

this may issue a writ of procedendo or mandate in this cause at any time during the present term of this Court.

58 Wm N. Bennett vs Jeffries Zephaniah Bennett. On the motion of Mr. Carlisle of counsel for the defendant in error, it is now here ordered by the Court that the writ may issue a writ of procedendo or mandate in this cause at any time during the present term of this Court.

220 DT. 1858 The United States vs. Alpheus Vicente P Gomez. On the motion of Mr. Gillet it is now here ordered by the Court that the three several motions this day filed by him be and they are hereby set down for argument at the same time that the motion of the Attorney General Black may be argued.

1011 The United States
vs
Antonio Suarez et al.

Motion of counsel for the respondents now here moved the Court to remand this cause to the District Court of the United States for the Southern District of California. The Court having heard counsel in support of the motion and it appearing to the Court that the Clerk has entered this cause docketed pursuant to the stipulation of the parties and the 6th rule of this Court it is therefore now here considered ordered and decreed by this Court that this cause stand dismissed and that this cause be and the same is hereby remanded to the said District Court of the United States for the Southern District of California to be proceeded with according to law and justice the said appeal notwithstanding.

Friday. March 2nd 1860. Continued

The United States
vs. Appeals
Antonio Sunol et al

On the motion of Mr Blair of counsel for the appellees it is now here ordered by the Court that the Clerk may issue a writ of procedendo or mandate in this cause at any time during the present term of this Court.

Proclamation being made the Court is adjourned until next Monday week the 12th day of March at 11 o'clock a.m.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean.
" " Samuel McLean
" " John Catron. Associate
" " Samuel Nelson, Justices
" " Robert C Grier
" " John A Campbell
" " Nathan Clifford
William Seaton Esquire. Marshal
William Thomas Carroll Clerk

Proclamation being made the Court was opened

On motion first made to the Court in this behalf by Mr Carlisle, it is ordered that George F Russell Esquire of Detroit, State of Michigan be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly -

Monday. March 12th 1860, Continued.

The United States Appts vs. Henry F Teschmaker Joseph R Thompson, George H Howard and Julius K Rose.	Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel On consideration whereof, it is now hereby ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to the opinion of this Court.

Per Curiam Jas. Nelson.

48 The United States vs Appeal from the District Court of the United States for the Northern District of California.
James Noe.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the petition of the claimant.

Per Mr. Justice Campbell.

49 The United States vs Appeal from the District Court of the United States for the Northern District of California.
Andres Pico

This cause came on to be heard on the transcript of the record from the District Court of the United States for the North-

Northern District of California was argued by counsel On consideration whereof it is now hereby ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to the opinion of this Court

Opr Mr Justice Nelson -

The United States
vs
Cliffe
Upper Canada.

Appeal from the District Court of the United States for the Northern District of California -

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel On consideration whereof it is now hereby ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the

said District Court with directions to dismiss the petition of the claimant

Per Mr Justice Catron

The United States vs Appeals Lot C Philbrook John Wm David S Bagley Richard H Stanton	Appeal from the District Court of the United States for the Southern District of Califor- nia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and was argued by counsel on consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to the opinion of this Court.

Per Mr Justice Nelson.

The United States vs Appts Antonio Maria Osio	Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and it appearing to the Court that this appeal brings up the same case which this court has just decided in No 79 and that this appeal has been improvidently docketed it is therefore now here ordered adjudged and decreed by this court that this cause be and the same is hereby stricken from the docket of this Court.

Per mr Justice Clifford

The United States vs Appts Antonio Maria Osio	Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by

counsel - On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the petition of the claimants.

Mr Justice Clifford

80 The United States vs Apollo Francisco Fiscal

Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel - On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed and that this cause be and the same is hereby remanded to the said District Court with directions

to dismiss the petition of the claimants.
Per Mr Jus: Campbell

Adam Ogden &c vs Appts The Ætna Insurance Co. Sam Sparks &al.	81	Appeal from the Circuit Court of the United States for the District of Indiana -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel -

On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

Per Mr Jus: Grier

Henry C. Hart, Sam Austin jr. & A. Hyatt Smith		Error to the District Court
82	vs.	of the United
Henry C Brown, Samuel P. Nelson & Henry L Stone	Jefferson Theodore McHenry	States for the District of Wisconsin

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Wisconsin.

Mr Jus: Catron

Charles Emerson		Error to the Circuit
91	vs.	Court of the United States
Horatio N. Slater	Jefferson	for the District of Massachusetts

This cause came on to be heard on the transcript of the record from the

Circuit Court of the United States for the District of Massachusetts and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Mr. Justice Clifford.

The Insurance Company of the State of Virginia
vs
Moses C. Mordecai

In error to the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby

affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of South Carolina.

Per Mr Just. Nelson

98

The United States
vs
James Murphy.

Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the petition of the Claimant.

Per Mr Just. Campbell

100	The United States Appt's vs Theodore Sloan Executor of Wm. T. Sloan dec'd	Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Per Mr. Justice Catron

105	The United States Appt's vs Emanuel Swart.	Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel. On consideration

whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the petition of the claimant.

Per Mr Justice Campbell.

William Freeman
vs
Jeffrey
Dubois Philadelphia.

In error to the District Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs

Per Mr Justice Wayne

107	Juan José Theodoro vs Appl The United States.	Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Opr Mr Justice McLean

112	The United States vs Appts The heirs of Francisco de Haro, dec'd	Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof it is now here ordered, adjudged

and decree by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed.

Per Curiam Jus. Nelson

113. John E. Jeter
vs. Appeal from
James Hewitt, Admr. the Circuit Court
Henry Mary Conrad of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

Per Curiam Jus. Campbell.

The Governor and Board of Inspectors of Ships Timber and Live Oak	Appeal from the District Court of the United States for the Northern District of California
113 vs. Appeals	
The United States.	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Per Mr. Justice Wayne

Samuel Swan.	Appeal from the Supreme Court of the State of Indiana.
14 vs. Appeal.	
Isaac Coleman	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and it appearing to the Court here that this cause has been brought up on an appeal from the said Supreme Court instead of

by a writ of error. It is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr Justice Catron.

123

The United States, appt
vs.
Rose Pacheco et al devisees under the last will & testament of Juana Sinches de Pacheco, dec'd.

Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to

the opinion of this court.

Per Mr. Jus: Catron.

The United States vs. Apfelbe Maximo G. Vallejo

Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to the opinion of this court

Per Mr. Jus: Nelson.

195	The United States vs. Appl's The Widow Stein of &c. & Benjamin Hill.	Appeal from the Cir. Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and was argued by counsel. On consideration whereof it is now hereby ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Mr. Justice Grier.

1318	Thomas J. Green vs. Appl's William Custard.	In error to the District Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof it is now

hereinbefore and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to the opinion of this court.

Per Mr. Justice Swayne

Jesse Hoyt, admr of
Gabriel Peshine, dec'd
vs
The United States.

Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Per Mr. Justice Catron.

The Bank of Pittsburg
vs
John A. Scott & Reuben E. Rat

In error to the Circuit Court of the United States for the District of Indiana

116

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by counsel. On consideration whereof it is the opinion of this court that the plaintiff in error in the several pleas by the defendants pleaded to the first and second counts in the declaration was not taken and should have been sustained: it is therefore now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter judgment for the plaintiff on the aforesaid several demurrers to the pleas by the defendants pleaded to the first and second counts in the said declaration

Per Mr. Justice Clifford.

127 The United States vs. Griffin & Sergt. Stewart

On the motion of Mr. Stewart of counsel for the defendant in error, and with the assent of Mr. Hanton in behalf of the Attorney General Black of counsel for the plaintiffs in error, it is now here ordered by the Court that the order of the 24th of February last continuing this cause to the next term be and the same is hereby annulled and stricken out.

128 The United States vs. Griffin & Charles L. Baron

On the motion of Mr. Stewart of counsel for the defendant in error and with the assent of Mr. Hanton in behalf of the Attorney General Black of counsel for the plaintiffs in error, it is now here ordered by the Court that the order of the 24th of February last continuing this cause to the next term be and the same is hereby annulled and stricken out.

24 Sidney Edgerton vs. Appeal Levy Humphreys. On the motion of Mr Benjamin of counsel for the appellant leave in this cause, it is now here ordered by the Court that the Clerk may issue a mandate or writ of procedendo in this cause at any time during the present term of this Court.

37 Charles Keck - vs. plaintiff in error. Louis Emmerling On the motion of Mr Benjamin of counsel for the defendant in error in this cause, it is now here ordered by the Court that the Clerk may issue a mandate or writ of procedendo in this cause at any time during the present term of this court.

57 Joseph A. Guardia vs. plaintiff in error. Louis Emmerling. On the motion of Mr Benjamin of counsel for the defendant in error in this cause, it is now here ordered by the Court that the Clerk may issue a mandate or writ of procedendo in this cause at any time during the

1850 Monday March 18th 1850 Continued

present term of this Court

Joseph Hunter
vs
Jeffries
Daniel Miller & Co.

On the motion of Mr Benjamin of counsel for the defendants in error in this cause, it is now here ordered by the Court that the Clerk may issue a mandate or writs of procedendo in this cause at any time during the present term of this Court.

The United States
vs
Ofsyths
Antonio Maria Pinzon.

On the motion of Mr Blair of counsel for the appellees in this cause it is now here ordered by the Court that the Clerk may issue a mandate or writs of procedendo in this cause at any time during the present term of this Court.

123	The United States vs Defts The Steam Launches the Packer, &c.	To be notice of proceedings for the forfeiture of the vessels

Ordered that the Court do adjourn to the Court House in the City of Sacramento in this District on the first Monday in April next at 10 o'clock A.M.

Proclamation being made the Court is adjourned until tomorrow morning at 10 o'clock.

1853.

Boston. March 13th 1854.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John M. Dana,

James McMaynes

John Putnam, Associate

Isaac Parker, Justices.

Robert Eaton

John H. Campbell

Nathan Cliffords.

William Selden Gannis, Marshal.

William Thomas Carroll Clerk

Proclamation for Congress and Circuit Court opened.

James Buchanan Esq.	On the motion of Wm.
vs. Appeals	Hanson in behalf of
The United States.	the Claimant for
	the Claim of Gannis for

the appellees it is now here ordered by the Court that this cause be and the same is hereby stricken from the docket there being no Counsel for the appellees. And the same is stricken from the docket accordingly.

1853

The United States vs. James McBoston which is fixed for the 5th proxime.

10 William B. Lawton
vs. Appeal
Horace B. Claflin et al.

On the motion of petitioners counsel for the appellees it is ordered by the Court that the said cause be and the same is hereby dismissed at the proper costs of the appellants.

13 The United States
vs. Appeals
Charles Meyer et al.

On the motion of the District Attorney for the appellees it is ordered by the Court that the said cause be and the same is hereby dismissed at the proper costs of the appellants.

95 The United States Appeals
vs
Reuben Wheaton Dodge.

On the motion of the District Attorney for the appellees it is ordered by the Court that the said cause be and the same is hereby dismissed at the proper costs of the appellants.

Tuesday. March 13th Adjournment.

111 The United States vs Elizabeth Ziegler

On the motion of Mr. Christ of Counsel for the appellee, it is ordered by the Court that the clerk may issue a mandate or writ of procedendo in this cause at any time during the present term of this Court.

130 The Dubuque & Pacific Railroad Company vs Hoffman & Stone & Fairfield

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Shepley of Counsel for the plaintiffs in error & Mr. Charles Mason of Counsel for the defendants in error. Mr. Attorney General Black also submitted a printed argument in behalf of the United States.

83 Ex parte Bonaparte vs Judge of Circuit Court

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Judge and Mr. Kennedy for the

of counsel for the appellants and by
Creighton of counsel for the appellees

117	Christian Zabriskie vs. Appeal The Cleveland Columbus Cincinnati Indianapolis	The argument of this cause was commenced by Mr Platt of counsel for the appellant

and continued by Mr Stanbery of counsel for
the appellees

318	The United States vs. Appeals Allen & White	from the Dist Court of the United States for the Southern Dis. trict of California.

Mr Merrick of counsel for the appellees
having filed and read in open Court a
certificate of the Clerk of the District Court
of the United States for the Southern District
of California and in the absence
of the presiding Judge of the Circuit Court
it was ordered, that

"In the District Court of the United
States for the Southern District of California

The United States
vs. Apfelbaum
Writ of Error apld

In the District Court
Ohelaw
Pro Law Commissioner.

I, Richard Sims, Clerk of the District Court of the United States for the Northern District of California do hereby certify that on the 15th day of March A.D. 1852 the regular term of said Court within the United States Court Room in the City of Sacramento the plaintiff in the above entitled cause was required by the said Apfelbaum by a rule of said Court duly entered for the want of good bail as "Bail" to the action of the Marshall of said District and on the 15th day of March A.D. 1852 at the term aforesaid of said Court holden at the same place an appeal from the decision aforesaid of said Court was duly and regularly allowed in said Court by and on behalf of the United States to the Supreme Court of the United States, but that no writ of Error has been taken by the said United States to prosecute the appeal

aforesaid.

In testimony whereof I have set my hand and the Seal of said Court at the City of Los Angeles aforesaid on this eighth day of February A.D. 1864.

Seal

J. Sims Clerk

— and having stated to the Court that the said appellant has omitted to file the record of the said case and to docket the said appeal and has abandoned the same to prosecute the same, now here moved the Court to docket and dismiss the said appeal pursuant to the ninth rule of this Court — On consideration whereof it is now here ordered, adjudged and decreed by this Court that the appeal from the District Court of the United States for the Southern District of California be and the same is hereby docketed and dismissed and that this cause be and the same is hereby remanded to the said District Court to be proceeded in according to law and justice the said appeal notwithstanding

Resolved that this meeting be now adjourned until tomorrow morning at eleven o'clock.

[illegible]

[illegible]

Proclamation being made the Court is opened

[illegible] to be the Court in this behalf by Mr Sherman, it is ordered that C. Hewitt Esquire of Olympia Territory of Washington, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion ordered that the Court in this behalf by Mr Easton it is ordered that Mr Penn Edwards Clerk of Iowa City State of Iowa be admitted to practice as an Attorney and Counsellor of this Court and he was Sworn accordingly.

Christian A. Zabriskie
vs
Appeal
The Christian Columbus
Diamond Mining Co

The argument of this cause was commenced by Mr Easton for the appellant and Mr Quigg of counsel for the appellees and concluded by the remaining of counsel for the appellant.

Deliberation being made the Court is adjourned until tomorrow morning at nine o'clock.

Pursuant to adjournment this day came
on this morning at the Capitol.

Present

The Honorable John McLean
James M. Wayne
John Catron Associate
Samuel Nelson Justices
Robert C. Grier
John A. Campbell
Nathan Clifford
Absent Chief Justice Taney and
Justice Wayne

Proclamation being made the Court was opened

The United States
vs. Jeffries
George N. Stewart.

On the motion of
Mr. Stewart for leave it
is ordered by the
Court that this
cause be and the same is hereby continued to the next term of this Court.

1000

Thursday March 13th 1817 Continued

108	The United States for Jefferson Chandler Bail	On the motion of the Attorney of Counsel for the defendant in error, it is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this court
133	Louis Clason for Jefferson Col. Huntington &c.	The argument of this cause was commenced by the Straight for counsel for the plaintiff in error continued by Mr Wright of counsel for the defendant in error and concluded by Mr Butts for the plaintiffs in error.
121	Archer Mutual Insurance Co. for Jefferson vs Christ. Wright use of Thomas Wright &c.	The argument of this cause was commenced by Mr Cutting of counsel for the plaintiffs in error

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Hon. John McLean,
James M. Wayne,
John Catron,
Samuel Nelson,
Robert B. Grier
John A. Campbell
William Ligford
Spencer Roane and
William Thomas Carroll, Clerk.

Proclamation being made the Court proceeds

The Louisville Insurance Co. vs Peffers Ohio & Mississippi Co. & Howard Insurance Co.

The argument of this cause was continued by Mr. Bartow for plaintiffs in error and by Mr. Crittenden for the defendants in error

128

The United States
vs
Wm. Wirt.

On the motion of Mr Key and Mr Jones leave was ordered by the Court that the motions in this cause be and they are hereby set down for argument this day fortnight the 28th instant

Wm Rodgers
vs
The Lehigh R.R. Co.

Mr Phillips of counsel for the appellees moved the Court to dismiss the appeal: On consideration whereof it is now here ordered by the Court that the said motion be and the same is hereby set down for argument this day week the 21st instant

Proclamation being made the Court adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Chief Justice
Mr Justice Wayne
Mr Justice Catron
Mr Justice Nelson
Mr Justice Grier
Mr Justice Campbell
Mr Justice Clifford

William Seldon, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation commencing the session.

1253 Andrew Jackson as Agent &c vs Isaac N. Tucker. } Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered, adjudged

ment be and the same is hereby affirmed with costs.

Per Curr Jas. Wayne

Benjamin Tatham & Thos. Tatham
vs
Benjamin Tatham Jr. Thos. Tatham & Thos. N. Tatham.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel On consideration whereof it is the opinion of this court that the complainants in the bill herein are entitled to recover from the defendants the sum of $18,813,5. Whereupon it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed as to the retainer of the aforesaid sum of $18,813,5 and that it be reversed as to the residue and that this cause be and the

cause is hereby remanded to the Circuit Court with directions to enter a decree for that amount in favor of the complainants: and it is further ordered and decreed by this Court that the costs in the Court below be taxed by the proctors in that Court, the appellants here, and that each party pay his own costs in this Court.

Jn. Dor. Asst. Cl. Ct. Appls.

190 The Etna Mutual Insurance Co. vs Jeffries use &c. John S. Wright use of Maxwell Wright and Co. &c.

The argument of this cause was resumed by Mr. Sullivan of counsel for the plaintiffs in error

191 The Orient Mutual Insurance Co vs Jeffries use &c. John S. Wright use &c. Maxwell, Wright & Co.

The argument of this cause was commenced by Mr. Alexander Hamilton jr. of counsel for the plaintiffs in error

644	The United States vs. pltffs in Wm L. Barker	These causes were submitted to the Court on a printed argument by Wm. R. Smith of counsel for the defendants in error.
645	The United States vs. pltffs in Arthur St. Hopkins.	
646	The United States vs. pltffs in. Richard Lee Francis.	

Ordered that this term stand adjourned until tomorrow morning at nine o'clock.

The Court to adjourn until the hour of ten this morning at the Capitol

Present

The Honorable James D. Morsell

Asso. Justice

Samuel Nelson, Associate Justice
Robert B. Grier
John A. Campbell
Nathan Clifford.

William Thomas Carroll, Clerk.

Ordered that the Court adjourn

On motion it is ordered by the Court on the behalf of Mr Carroll it is ordered that C. Austin Brett Esqr of Washington City and District of Columbia be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

N. H. Insurance Comp.
of the State of New Hampshire
vs
Joseph
Hurd & Others use of Hannah Hopkins

117

At Curiam having suggested the indisposition of Mr Grant the Counsel on the argument of the case

the Court is satisfied to go into said cause for argument on Saturday the 11th Inst. to which day Arguments of Counsel in the above cause is continued - the application whereof it is now ordered by the Court that the same be and the same is hereby accordingly granted to Saturday the 11th of April.

N. Saint Mutual Insurance Co.
vs
Jeffersonian Insurance Co.

121

The argument of this cause was continued by consent and Mr Gray

Counsel for the defendants in error and concluded by Mr Cushing of Counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at seven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier
John A. Campbell
Nathan Clifford
} Associate Justices

William Selden, Esquire, Marshal.
William Thomas Carroll Clerk

Proclamation being made the Court opened

On motion first made to the Court on this behalf by Mr Bullock, it is ordered that Edmund Cowen of the State of New Jersey be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

Francis B. Crane	Appeal from
vs	the Circuit Court
Jonathan Thomas &	for the District of
Lorenzo Thomas &	Massachusetts.
Francis & J. Smith.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and on the motion of Mr Choate of counsel for the appellant that the cause be remanded in accordance with the 11th rule and it appearing that the parties and their counsel of the Union of counsel for the appellee. On consideration whereof it is now here ordered and decreed by this court that this cause be and the same is hereby dismissed with costs.

Jm. Mc Kee Sup. Wayne

149 Charles Blanchard
vs. Appellees
The New England Screw Co.
and
Charles Blanchard
150 vs. Appellees
The New England Screw Co.

These causes were submitted to be considered on the record and printed arguments by Mr. Knight of counsel for the plaintiffs in error, and by Mr. Stoughton and Mr. Curtis of counsel for the defendant in error

151 The Howard's et al. claimants of the Bark "Griffin" &c
vs. Appeals
John Spencer et al.

The argument of this cause was commenced by Mr. Walcott of counsel for the appellants continued by Mr. Clifford of counsel for the appellees and concluded by Mr. Walcott of counsel for the appellants

153 Simeon Benjamin
vs. Appellees.
Asa B. Hilard et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Tracy and

on the part of the plaintiff in error
and the Attorney of counsel for the defendant
in error.

Thomas Parsons
vs Appeal
John Bird

This cause having been
called for argument and
no counsel appearing
ready to proceed with
the same it is therefore now ordered
by the court that this cause be and the
same is hereby postponed to the foot of the
docket pursuant to the 26th rule of this court.

156 Samuel F. Heathcote
vs Affirmance.
Henry M. Ames

On the motion of
Mr. Doolittle of counsel
for the plaintiff
in error it is now hereby
ordered by the court that this cause be and
the same is hereby continued to the next
term of this court.

Christopher C. Brown
vs Appeals
Isaac M. Fogg et al

Pursuant to the
stipulation filed
by the counsel of
the respective parties

It is now here ordered by the Court that this cause do and the same is hereby continued to the next term of this Court

158 John M Carthur &c
vs
Charles Symonds

And it being suggested to the Court that there is serious illness in the family of the defendants Counsel. It is therefore now here ordered by the Court that this cause be and the same is hereby continued for the present

159 Edward Kilbourne &as
vs
State Saving Institution of St Louis.

This cause was submitted to the consideration of the Court on the record and a finding for the present damages pursuant to the 2d Section of the 33rd Act by Geo Tolan and the Roll of Damages on the defendants interest.

Proclamation being made the Court is now adjourned until 10 o'clock tomorrow morning.

Thursday, March 22d 1860.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne,
John Catron
Samuel Nelson,
Robert C. Grier,
John A. Campbell
Nathan Clifford
} Associate Justices

William Shaw Esquire Marshal.
William Thomas Carroll, Clerk.

Ordered that Counsel be heard

On motion it is ordered by the Court that Charles Alfred Clay it appearing that he is a Counsellor at Law of the State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

162 The United States vs. Appeals
Francisco Hernandez et al
Leave of Appeals Dismissing Case

Leave
has ordered
by the Court
that this Cause
be and the same

is hereby postponed for the present on account of the indisposition of the Attorney General Which of course is for the Appellants.

164 The United States vs. Appeals
Frederick Billingsley et al

On the motion
and Affidavit of Counsel
it is for the Appellees
Suggesting the in-

disposition of the Attorney General Which of course is for the Appellants, it is now here ordered by the Court that this cause be and the same is hereby postponed for the present.

165 The United States vs. Appeals
James M Masters et al.

Stipulation of
the Counsel &c in
this Cause
having been filed

it is therefore now here ordered by the

Ordered that this cause be and the same is hereby continued to the next Term of this Court.

166 Eliz Armour
vs
Julian
Maria A. Fletcher

The argument of this cause was commenced by the Counsel of the plaintiff in error.

166 Eliz Armour Plaintiff
vs
Maria A. Fletcher formerly Maria Louisa Smith Fletcher Custis formerly Maria Louisa Custis, late Custis Maria Lee and his wife Eliza Custis Lee and Augustin Custis

Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel, on consideration whereof it is the opinion of this Court that the judgment of the said

Circuit Court in this cause was not a
final judgment, it is therefore now
considered, ordered and adjudged by
this court that this cause be and the
same is hereby dismissed for want
of jurisdiction.

Jn Brockenbrough.

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168 The Mayor Aldermen and Commonalty of the City of Richmond
vs. Plaintiffs in Error
Franklin Saunders Jun.

This cause was submitted to the court on the record and printed argument by the Counsel for the plaintiffs in error.

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169 Charles B. Weaver
vs. Defendant in
Error
Isaac Kipps and Isaac Kipps, Executors of Isaac Kipps dec'd

On appeal to the Supreme Court of Pennsylvania

This cause came on to be heard
on the transcript of the record from the

Supreme Court of Pennsylvania and it appearing to the court that no appearance or pleading for either party has been entered in this cause. And it being now pursuant to the 18th rule of this Court, now here considered, ordered and adjudged by this court that this cause be and the same is hereby dismissed at the costs of the plaintiff in error.

By the Court. Wayne -

Whereupon the Court adjourned until this time tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
" " John Catron
" " Samuel Nelson } Associate
" " Robert C. Grier } Justices
" " John A. Campbell
" " Nathan Clifford.
William Selden, Esquire, Marshal.
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Smith, it is ordered that Thomas A. R. Nelson, Esquire of Southern State of Tennessee be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

The motion first made to the Court on this day by Mr Addison is in the words and figures following to wit Richard R. Curtis Esquire of Baltimore State of Maryland be admitted to practice as an Attorney and Counsellor of this Court he was therefore accordingly.

The motion first made to the Court on this day by Mr Addison is in the words and figures following to wit Lewis A. Stewart Esquire of Virginia State of Virginia be admitted to practice as an Attorney and Counsellor of this Court he was therefore accordingly.

92 Martin Log
vs Injunction.
Lane & Watkins

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Stallcup of counsel for the plaintiff in error and by Mr Watkins of counsel for the defendant in error

135 Ch. W. Buchanan for
vs Petitioner
Thomas Boyle County Judge.

This day came
of counsel for
the defendant
in error moved

the Court for leave to file a motion to
dismiss this cause for the reason, as it
is stated in said motion, that the
matter in controversy does
not now exceed by the sum of
Five Hundred Dollars exclusive of
costs, and the same is
duly proved.

30 Thomas Bruce &c
vs Copy
The Blue Ridge Railroad Co.

The motion filed
by the Plaintiffs
of counsel for
the defendants to

dismiss this appeal was argued by them
in support thereof and by the counsel of
the of counsel for the appellants in opposi-
tion thereto

265 In Chancery Virginia Coal &c
vs Petition
John Goodman and Lewis Com.rs

The Petitioners
counsel for the
defendants in
error moved this

Court to dismiss this cause for the want of

consideration came to by this motion for argument on this day fortnight the 8th day of April. On consideration whereof it is now here ordered by the Court that the said motion be and the same is hereby ordered for argument on this day fortnight the 8th day of April

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The City of New Orleans
vs
Jeffries
Myra Clark Gaines

58

Minutes of Counsel for the defendants herein moved the Court for an order to the Clerk to issue a mandate in this case during the present term for the reasons set forth in his motion & petition filed in the cause this date, whereupon this Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider.

Nathan Smith use &c Pltff
vs
William H. Mann.

Mr Ellis of counsel for the defendant in error suggested to the Court that there was a misnomer of the name in this cause and that he wished to apply to the Court for a rule of reference to settle the misnomer. Whereupon it is now here ordered by the Court that the said Counsel for the defendant in error give notice to the counsel of record for the plaintiff in error that the said application to amend the same is heard next term for next Friday the 30th instant

Jno M Richardson &c Clerk of the Circuit Court &c Appellants
vs
Maria Goddard &c.

Mr Brandon of counsel for the appellants moved the Court for an order to the Clerk to issue a mandate in this cause during the present term for the reason set forth in his written application filed in the case this date. Whereupon this Court not being now fully advised of and

announcing what order to render in the premises took time to consider.

306 Ferdinand V. Black vs Appt Wm H. H. Hackett

Mr Johnson proceeded to argue in support of the motion filed by him to dismiss this appeal. Whereupon on the motion of Wm H. H. Cox Esq it is hereby ordered that he reply to Mr Johnson on next Friday the 30th instant.

250 A. L. Lubugue & Pacific Railroad Co. vs Jefferson County & Litchfield

This cause was further submitted to the consideration of the Court on additional printed argument by Mr Mason for the Defendant in error

1170

The N. York & Baltimore Transportation Co. vs. The Philadelphia & Baltimore Trans. Co. Appeal

The argument of this cause was commenced by the Attorney & Counsel for the appellants.

Proclamation being made the Court adjourned until Monday morning at eleven o'clock.

Monday March 26th 1860.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne,
John Catron,
Samuel Nelson, Associate
Robert C. Grier, Justices—
John A. Campbell
Nathan Clifford

William Seldon Esquire, Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Wm C. Jones it is ordered that James B. Higgin Esquire of the Supreme State of California be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly—

On motion first made to the Court in this behalf by Mr Gould, it is ordered that Mr. Frank Brown Esquire of Brooklyn State of New York be admitted to practice as an Attorney and Counsellor of this Court and to be sworn accordingly.

1933 Lewis Tappan & Lewis Tappan Jr. vs. Stiffsmen & P. Huntington & Frank Hopkins

Appeal to the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Ex Mr Justice Clifford

109	Edward Kilbourne, Deming & Son, Lowman & Hook and A. R. Hoole, Appellees. vs. The State Savings Institution of Iowa in the State of Missouri.	Error to the District Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Iowa and on the motion of Mr. Blair and Mr. Hook. It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs and interest at the rate of ten per cent per annum.

Per Mr. Justice Hayes.

117 Christian A Zabriskie
vs Appl't
The Chicago, Columbus & Cincinnati Railroad Co
John A. Butler, Thomas Bel-
knap & H. H. L. Luckhardt.

Appeal from the Circuit Court of the United States for the Northern District of Ohio

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio and was argued by Counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Campbell.

85 John Baptiste Beaubien Jr.
vs. Appl'ts
Antoine Beaubien Jr.

Appeal from the Circuit Court of the United States for the District of Michigan.

This cause came on to be

to hear on the transcript of the record from the Circuit Court of the United States for the District of Michigan, and was argued by counsel. On consideration whereof it is now hereupon ordered and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Chief Justice Taney

The United States
vs
Francisco Serrano
Appt.

3541 Appeal from the Circuit Court of the United States for the Southern District of California.

Mr Benham of counsel for the appellee having filed and read in open court the following certificate to wit:

"In the District Court of the United States for the Southern District of California

The United States Appellee
vs
Francisco Serrano, Appt.

No 216 in District Court
"Juan de la Cruz Rita"
No 693 in Land Commission

I, Columbus Sims, Clerk of the District Court of the United States for the Southern District of California do hereby certify that on the 9th day of February A.D. 1858 at a regular term of said Court held in the United States Court Room in the City of Los Angeles the claim of the appellant in the above entitled cause was confirmed to him the said appellant by a decree of said Court duly entered for the tract of land known as "Canyon de Santa Rita" to the extent of eleven square leagues of land and no more. That on the 11th day of September A.D. 1858 at a special term of the Court aforesaid, holden at the same place an appeal from the decree aforesaid of said Court was duly sued out and allowed in said Court by and on behalf of the United States to the Supreme Court of the United States, but that no further steps have been taken by the said United States to prosecute the appeal aforesaid

In testimony whereof I have

hereunto set my hand and the
Seal of said Court at the
City of Los Angeles aforesaid
on this 16th day of December
A.D. 1859.

(Seal.)

C. Sims, Clerk."

— and having stated that the said Appellants had omitted to file the record
of the said cause and to docket the said
Appeal and had altogether failed to
prosecute the same, Now on motion the
Court do order and dismiss this Appeal
pursuant to the ninth rule of this Court,
the consideration whereof it is now here
ordered adjudged and decreed by this
Court that this Appeal from the District
Court of the United States for the Southern
District of California be and the same
is hereby docketed and dismissed and
that this cause be and the same is hereby remanded to the said District Court
to proceed with according to law and
justice the said Appeal notwithstanding.

By the Ch. Jus: Taney.

James Robinson &c Assignees of the Bank of Augusta vs Appellees David Goddard &c al.	On motion of the Counsel for the appellees and the case being submitted to the Court on the transcript of the record in this case by Mr. Fellowes in behalf of Mr Shepley, it is, now here ordered by this Court that the same be and the same is hereby granted the Clerk to issue a mandate in this case during the present term.

The City of New Orleans vs Appellees Myra Clark Gaines	On consideration of the motion made in this case by the Right of counsel for the defendant in error it is now here ordered by the Court that the same be and the same is hereby granted the Clerk to issue a mandate in this case during the present term

256 The Protestant Reformed Episcopal Church of St. Matthew vs. Trustees of the Methodist Episcopal Church in Baltimore City

It is now here ordered by the Court that the motion of the Appellee to dismiss this appeal be and the same is hereby, reserved for argument when the case is reached on the merits in the regular call of the docket.

170 The New York & Baltimore Transportation Co. vs. Philadelphia & Havre de Grace Steam Navigation Co.

By agreement of this cause was continued by the Appellants. Appellees and in lieu of costs for the application and conceded by Mr. Bailey of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne,
John Catron,
Samuel Nelson, Associate
Robert C Grier, Justices
John A Campbell,
Nathan Clifford

William Seaton Pierce, Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

Henry Hunter for, &c. of the Township Pahrell
vs. Appeals
Michael Bradley &c.

1471

It is ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the stipulation of the counsel of the respective parties on file.

Thursday March 27th 1862 Continued.

172.	John F. Callan et al vs Appeals Chas St. Salsbury.	The argument of this cause was commenced by Wm H. L. Cox of Counsel for the appellants and continued by Mr. Gaudy and Mr Chilton of Counsel for the appellees

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne,
Samuel Nelson, Associate
Robert C. Grier, Justices
John A. Campbell
Nathan Clifford

William Sutton, Esquire Marshal,
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Chilton it is ordered that William F. Watson Esquire of Washington State of Virginia be admitted to practice as an Attorney and Counsellor of this Court and he took the oaths prescribed by -

1865. Wednesday March 15th 1865 Continued -

On motion it was ordered by the Court in this behalf by the Hon. Wm. Lowrie it is ordered that William Hunt Esquire of the State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly -

1 W. Kortright vs. } Mr Gillet on behalf of
vs. } Mr Hughes of Counsel for
Peffers & } John A. Williams moved
John A. Williams } the Court for leave to with-
draw from the files of the Court the transcript
of the record filed in this cause: On consid-
eration whereof, it is now here ordered by
the Court that the Clerk deliver the tran-
script in this case to the said Counsel
upon his filing a receipt therefor.

33 John Overton Jr. vs. Peffers & Elijah Ebert Jr. } On the motion of
Mr Gillet of Counsel
for the plaintiff in
error. It is now here
ordered by the Court that the motion
filed this date by Mr Kortright for want
of precedents in this cause during this

term for the reasons set forth in the said motion be and the same is hereby refused and doubt for argument on Friday the 30th instant.

172. Sir H. Cairns qc. M.P. Appt
Charles H. Statham qc. Respt

The argument of this cause was continued by Mr. Chilton of Counsel for the appellants and concluded by Mr. H. Hinde Cave of Counsel for the respt Counts.

158 John M. Cassins qc M.P. Appt
Charles Symonds Respt

The argument of this cause was commenced by Mr. Stevens of Counsel for the appellants

Tendamotion being made the Court was adjourned until tomorrow morning at 11 o'clock

1869. Thursday March 29th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable Roger B. Taney Chief Justice

James M. Wayne
John Catron,
Samuel Nelson, Associate
Robert C. Grier Justices
John A. Campbell
Nathan Clifford.

William Seton, Esquire Marshal.
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr Canning it is ordered that Henry T. Hunt Esquire of Philadelphia State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Pike, it is ordered that Henry Burnett Esquire of Charleston S.C. be admitted to practice as an Attorney and Counsellor of this Court and to have been admitted

250	The Dubuque & Pacific Railroad Company vs. Edwin C. Litchfield et al	An adjournment was granted by the Court on motion of Counsel for the plaintiffs in error and the argument of this case is continued to

158	John M. Eastman et al. vs. Charles Symonds.	The argument of this cause was conducted by Mr Gillet of counsel for the appellee.

173.	Emma B. C. Thompson et al vs. Jane Carroll, Lessee, et al	The argument of this cause was commenced by Mr Carlisle of counsel for the plaintiffs

Suits in Error are ordered by Mr. Burk
& counsel for the defendants in Error

Proclamation being made the Court is ad-
journed until tomorrow morning eleven o'clock.

Pursuant to adjournment the Court met this morning at eleven o'clock

Present.

The Honorable Roger B. Taney Chief Justice
James M. Wayne,
John Catron,
Samuel Nelson, Associate
Robert C. Grier, Justices
John A. Campbell,
Nathan Clifford
William Seldon Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court proceeds.

On motion, it is ordered by the Court that upon this behalf by his Atty, it is ordered that P. Nathan Pratt Esquire of Cincinnati Ohio, State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly -

the motion first made to the Court in this behalf by Mr Bingham it is ordered that Simeon Fray Esquire of Toledo, State of Ohio, and Nathaniel Bennett Esquire of San Francisco, State of California be admitted to practice as Attorneys and Counsellors of this Court and Register severally sworn accordingly

107	Chas. H. Statham pet. vs Defendant William H. Adams	It is now here ordered by the Court that pet'r Statham have leave to withdraw his motion of the 23rd instant, and that the counsel fees have to remain the same by the insertion of the letters omitted, pursuant to this Stipulation
33	John Conton pet. vs Defendant Elijah Chadwick	The motion filed by Mr Savage on the 28th instant was argued by the Solicitor in opposition thereto whereupon this Court not being now sufficiently advised of and concerning the premises to render in the premises

took time to consider

1169 Emma B. Humphreys pet. pltff in err vs. Thos Carroll, Jr. def. in err

The argument of this cause was resumed by Mr. Taylor of counsel for the defendant in error and concluded by Mr. Bridges of counsel for the plaintiff in error.

1170 James C. Hanna, pet. pltff in err vs. Richard H. Winsor

Mr. Wickham of counsel for the plaintiffs in error, having filed and read in open Court a suggestion of a diminution of the record in this case and a motion for a writ of certiorari, moves the Court to fix some day certain for the argument of the same. Whereupon it is ordered by the Court that this motion be and the same is hereby set down for argument on next Friday the 6th day of April.

1865. Friday March 30th 1866 Continued -

Thomas Bell
vs
The Mayor & Council
of the City of Vicksburg

The argument of this cause was commenced by Mr Benjamin of counsel for the plaintiff in error, continued by Mr Badger of counsel for the defendants in error, and concluded by Mr Benjamin for the plaintiff in error

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon. Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson, Associate
Robert C. Grier, Justices
John A Campbell
Nathan Clifford

William Allen Esqr. Reporter
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

90

The United States
vs
Andres Castillero

Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and was argued by counsel. On consideration whereof it is now here ordered adjudged

and it is ordered by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Curiam Clifford.

John Covington
vs
Jefferson Boyd & Chick & Gale

133

On consideration of the motion made by Mr Loomis of counsel for the defendant in error on the 28 ultimo for a writ of error in this case, and of the arguments of counsel thereupon had & in favor of & against the said motion. It is now here ordered by the Court that the Clerk of this Court have leave to issue a mandate in this case during the present term of this Court.

Salvador Castro
vs appellt
Thos A. Hendricks
Commissioner &c.

135

On the motion of Mr Stephens of counsel for the appellant and with the assent of Mr Attorney General Black of counsel for the appellee, it is now here ordered by the Court that this cause be

and the same is hereby set down for argument next after Hall which is fixed for the 16th Instant.

83. The United States vs. Appts James R Bolton

Mr. Campbell of counsel for the appellee moved the Court to extend the time for argument in this case to two hours to each counsel, which was resisted by the Attorney General of Illinois who was opposed to any extension of the time.

On consideration whereof it is now ordered by the Court that two hours be allowed to each of the counsel in the argument of this cause.

83 The United States vs. Appts James R. Bolton

The argument of this cause was commenced by the Hon. of counsel for the appellants and continued by Mr. Campbell of counsel for the appellee

Proclamation being made the Court adjourned until 11 o'clock morning at eleven o'clock.

1860 Tuesday April 3. 1860.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James M Wayne
John Catron
Samuel Nelson
Robert C Grier
John A Campbell
Nathan Clifford
} Associate Justices

William Seldon Esqr Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr Samuel A Smith it is ordered that Jo. M Edwards Esquire of Cleveland State of Tennessee be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Alfred Ely it is ordered that Philander W. Cannon Esquire of Rochester State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr Thos Phillips it is ordered that William A Beaham Esquire of Savannah State of Georgia be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly

The United States. vs. Appts
83 James R Boston.

The argument of this cause was continued by Mr. J Mason Brown for the appellee and Mr Walker of Counsel for the appellee.

Tuesday April 2d 1860 Continued.

336 Alexander McGuire
vs
James Bowman

Writ of error to the Circuit Court of the United States for the District of California.

This cause coming on to be heard upon the transcript of the record and upon the motion of Mr. Gwin counsel for the plaintiff in error it is now here ordered by the Court that the writ of error in this cause be and the same is hereby dismissed with costs and that the following certificate be issued:

"Circuit Court of the United States
In the District of California
Northern District

James Bowman,
vs.
Alexander McGuire.

I, Charles McAllister, Clerk of the Circuit Court of the United States for the District of California do hereby certify that final judgment was rendered in the above entitled cause on the 26th day of April 1858, in favor of the plaintiff against the defendant which said judgment was entered and recorded of that date, and I do further certify that a writ of error to the Supreme Court

of the United States to make on the first
Monday in December next thereafter
to wit: on the first Monday of Decem
ber 1858 was duly issued and allowed
in said cause on the 8th day of May
1858 in behalf of Alexander McKeen
plaintiff in error and that a supersedeas
writ was lodged in my office for the above
named James Sherman defendant in error
on the 8th day of May 1858.

In testimony whereof I have
hereunto set my hand and affixed
the seal of said Court this second
day of March A.D. 1860, and of the
Independence of the United States
the eighty fourth.

Seal

Cutler McAllister
Clerk"

attest -

- and having stated that the plaintiffs
in error had altogether failed to file the
record of said cause in the Court
in any way to prosecute said writ of
error, now has moved the Court in pur
suance of the 9th rule of this Court, to dismi

this writ of error dismissed.

On consideration whereof it is now here ordered and adjudged by this Court that this writ of error to the District Court of the United States for the North. District of California be and the same is hereby dismissed and dismissed with costs, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

Jno. Nelson Chief Justice

Proclamation being made the Court is accordingly until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the usual hour.

Present

The Honorable James M Wayne
John Catron
Samuel Nelson Associate
Robert C. Grier Justices
John A Campbell
Nathan Clifford
William Lyon Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is open

The United States vs. Appts
James R Bolton.

83

The argument of this cause was continued by Mr Wallace of counsel for the appellees and by the attorney General Black of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

1795 Thursday, April 5th 1860.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable James M. Wayne,
John Catron,
Samuel Nelson,
Robert C. Grier,
John A. Campbell,
Nathan Clifford.
} Associate Justices.

William Seldon Esquire Marshal,
William Thomas Carroll Clerk.

Proclamation being made the Court opened.

On motion first made to the Court on this day by Mr Cushing, it is ordered that Gilman Marston Esquire of the State of New Hampshire, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly

83 The United States vs. Appts James K. Polk

The argument of this cause was commenced by the Attorney General Black of counsel for the appellants.

148 Jesse M. Lucas vs. Appts The United States.

On motion of Mr. Binham of counsel for the appellants, It is now here ordered by the court that they be allowed to make of the record on the argument of this cause

148 Jesse M. Lucas vs. Appts The United States

The argument of this cause was commenced by Mr. Binham of counsel for the appellants

Thursday April 5th 1860 Continued

Andrew H. Leyster
James B. McKean
vs
Appeal
Appeal Bond

Appeal to the District Court of the United States for the District of Iowa.

Mr Stanton of counsel for the defendants in error having filed a transcript of the record in this cause duly certified by the Clerk under the seal of the District Court of the United States for the District of Iowa, and also a duly authenticated copy of the writ of error, which was issued on the twelfth day of November eighteen hundred and fifty nine and made returnable on the first Monday of December eighteen hundred and fifty nine and having stated that the plaintiffs in error had altogether failed to file the record in said Court in due time to prosecute said writ of error, now here moves the Court in pursuance of the 6th rule of this Court to have this writ of error dismissed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that

this motion came to the District Court of the United States for the District of Iowa to be and the same is hereby dismissed and dismissed with costs and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said Court of Iowa not withstanding.

Per Curiam

Proclamation being made the Court is not further until tomorrow morning at 10 o'clock.

Friday April 6th 1860.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable James M. Wayne,
John Catron,
Samuel Nelson,
Robert C. Grier,
John A. Campbell,
Nathan Clifford
} Associate Justices

William Selden, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court was opened.

On motion first made to the Court in this behalf by Hon. W.C. Rives it is ordered that the Hon. William S. Holman of the State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

53. The United States vs Appl. James R. Bolton. Mr. Kennett of counsel for the petitioner moved the Court for leave to file a printed argument in behalf of his client in this case. On consideration whereof it is now ordered by the Court that the said motion be and the same is hereby overruled.

190 James O'Hara vs Appellee Richard H. Hershberger. The appellant in person & not of counsel in this case on the 3rd ultimo was argued by A. Attorney General Black in support thereof and by Mr. Stanton in opposition thereto. Whereupon the Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider

233 Eli M. Haines
vs
Jefferson.
Samuel Boyles, County Judge.

For reason of Counsel for the defendants in error proceed to argue in support of the motion filed by him on the 23d ultimo to dismiss this cause for the want of jurisdiction, which was opposed by Mr. Johnson of counsel for the plaintiff in error, Whereupon it is now here ordered by the Court that the further argument of this motion & cause be & is hereby postponed until after the record of the case shall have been printed.

65 Charles Eugene Lee, and
H. Emmons Maupin Esqrs
vs
Jefferson
John Goodman for
School Commissioners.

The motion filed on the 23d ultimo by the Defendants to dismiss this cause was argued by the Counsel in support thereof and by Mr. A. Smith in opposition thereto

116	The Bank of Pittsburg vs Griffin & John S. Neal gar.	On motion of counsel for the plaintiff in error leave to withdraw the transcript

for leave to the Clerk to issue a mandate in this case during the present term: Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider

220	John S. Mackintosh vs Griffin & Mayor J. Thomas gar.	On motion of counsel for the defendant in error leave to suggest

on the death of Mayor J. Thomas his client since this cause has been prosecuted and docketed in this Court

299 D.C. 1858	The United States vs Griffin & Vicente F. Gomez	On the motion of Mr Ben. Johnson and with the consent of Mr Attorney Gen.

of Black it is now here ordered by the

1713 Monday April 6th 1863 Continued -

Court that the formal motions on file in this case be and the same are hereby set down for argument on this day week the 13th instant.

115 Juan M. Lizarraga et al Appts vs The United States. } The argument of this cause was continued by Mr. Benham of Counsel for the appellants.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday April 9th 1860

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron,
Samuel Nelson, } Associate
Robert C. Grier } Justices
John A. Campbell
Nathan Clifford

William Nelson Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court

Charles Ellis's
Assignees
vs
The New England Screw Co.

In error to the
Circuit Court of
the United States
for the Southern Dis-
trict of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof it is now here ordered and

Monday April 9th 1860. Continued

adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that private judgments bear in the Courts of the State of New York.

per mr Justice Clifford

Charles Blount
Edward B Winans
vs
Stephenson
New England Iron Company

In error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per mr Justice Clifford

330 The Dubuque & Pacific Railroad Co. vs Benjamin Gamble & Litchfield & al

Error to the District Court of the United States for the District of Iowa

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Iowa and was argued by counsel. On consideration whereof it is now hereby ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said District Court with directions to enter judgment for the defendant below

Opinion of the Court

Monday, April 9th 1866, Continued

Louis L. Rapley, A. B. K. Rutland and Francis Faulkey Exors of Mary F. Nichols widow, and Edward L. Morton and Mary his wife, heirs of Frederick Nichols, deceased Apfts	Appeal from the Circuit Court of the United States for the District of Arkansas.
vs	
William W. Woodfolk.	

143.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Arkansas and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill of the complainants for want of jurisdiction.

George B. Moorewood, John
I. Moorewood, Jacob A. Roll
vs Appeals from
Lorenzo N. Eucquist, owner of the Circuit
the Brig Orleans &c. Court of the
United States
for the Southern
District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the rate of six per annum the decree to bear interest in the Courts of the State of New York.

Jno. Nye Hus. Clerk

1716 Monday April 9th 1860 Continued

165

The Mayor Aldermen and Commonalty of the City of New York. vs Benjamin Nimmon and Uzziah Bowman

In error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to cause a venire facias de novo.

Per Curiam Grier.

91	José Maria Amador vs The United States.	Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Per Curiam. Wayne.

45	Juan McLeod vs The United States.	The argument of this cause was commenced by the learned counsel for the appellants

Monday April 9th 1866 Continued.

James C. Hara
vs
Griffin
Nash & Hinston Jun.

1866

On consideration of the motion filed in this cause for a writ of certiorari and of the arguments of counsel thereupon as well in support of as against the said motion, it is now here ordered by the court that the said motion be and the same is hereby overruled and it is further here ordered by the Court that permission be and the same is hereby given the parties to enter on the record within ten days from this date such a Statement of the Bill of Exceptions taken to the rulings of the Circuit Court upon the trial of the cause as may be agreed to between them. But if that shall not be done within the time stated, this Court will proceed to dispose of the case as it now stands when called in its order upon the docket.

365 Charles Langston Jun
vs Benson Bennington
et al petition.
John Berryman &c
Select Commissioners &c

On consideration of the motion filed in this case on the 28th instant to dismiss the same for the want of jurisdiction and of the arguments of counsel thereupon had as well in support of as against the same it is now ordered by the Court that the said motion to dismiss the case be and the same is hereby overruled, and the Court reserves its opinion upon the point until the case is heard upon its merits in its order on the docket

906 Indiana N. Clark
vs Appeal
William H. H. Stuckey.

On consideration of the motion filed on the 18th of February last to dismiss this cause and of the argument of counsel thereupon had, this Court thinking that the case is properly before it to be heard upon its merits when reached on the docket upon the docket, it is now here ordered

by the Court that the said motion be and the same is hereby overruled. But this Court is further of the opinion that the time to which the motion refers being in the Registry of the District Court of the United States for the District of New Hampshire it may notwithstanding the appeal, upon motion in that Court be stayed any orders by the Judge of that Court to be paid over to William H. H. Goodell the defendant who under the former decree of this Court was decreed entitled to receive it as trustee.

116. | The Bank of Pittsburgh vs Griffin & John L. Neal, jr. | On consideration of the motion made in this cause on a prior day of the present term, to wit, on Friday the 6th instant for a writ of procedendo, it is now here ordered by the Court that the Clerk have leave to issue a mandate in this case during the present term

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier
John A. Campbell
Nathan Clifford
William Sprigg Esquire Marshal
William Thomas Carroll Esquire Clerk.

Proclamation being made the Court opened.

Juan M. Luco Cat. et al. vs. Ships &c. of the United States.

The argument of this cause was continued by Mr. Hunter and Mr. Coxe for Claimants & counsel for the appellees.

Proclamation being made the Court adjourned until tomorrow morning at eleven o'clock.

Wednesday April 11th 1860.

The Court met this morning at the Capitol

Present

The Chief Justice Taney
John Catron
Samuel Nelson
Robert C Grier
John A Campbell
Nathan Clifford
William Allen Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

1118 Jean M. Lucas
vs
The United States.

The argument of this cause was commenced by Mr Johnson of counsel for the appellees and by Mr Cushing of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James Dill Waynes
John Cahoon
James Nelson Associate
Robert O Grier Justices
John H Campbell
Nathan Clifford
William Fenton Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Cushing it is ordered that John F Kinney Esquire of Nebraska City Nebraska Territory be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this cause by Mr Ross it is ordered that Francis Buchta Esqr one of the Solicitors of this Court be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

118	James McGuire vs. Appellee The United States.	The argument of this cause was commenced by the Clerk of Counsel for the appellant.

105.	Edwin G. Adams vs. Appellee Samuel Norris.	The argument of this cause was commenced by the Clerking of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M Mayo
John Calvin
Samuel Nelson, Associate
Robert G Shiras, Justices
John A Campbell
Nathan Clifford

William Selden, Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

The State of Missouri
vs Compt Bill in Equity
The State of Kentucky

On the motion of Mr Noel of counsel for the Complainant and of Mr Chilcutes of counsel for the defendants in this cause, it is now here ordered by the Court pursuant to rule in the case of the Injunction this cause filed by the aforesaid counsel in this cause:-

1st That this Cause be set for trial on the third Monday of January next

2nd That the parties respectively have general leave to take depositions upon due notice.

3rd That ten days notice at least, shall be given of the time and place of taking depositions, with an additional for every twenty miles exceeding one hundred, that the place where the notice is given may be distant from the place assigned for the taking of any deposition or depositions.

4th That William R Bradley of Columbia Kentucky is the agent and Attorney of the State of Kentucky, for giving or receiving notice of the taking of depositions in this suit, and that Robert A Hawkins of New Madrid, Missouri, shall in like manner act for the same purpose be the agent and Attorney of the State of Missouri.

5th That the parties shall respectively file their depositions in this cause on or before the first day of the next December

Court of this court
Cul Depositions to be taken before any
Justice of the Peace, or other Judicial Of-
ficer of either Kentucky or Missouri, or
before any Commissioner appointed
for the purpose of taking depositions
by either of the Circuit Courts of the
United States for the District of Kentucky
or Missouri.
and Lastly - The depositions to be endorsed
and sealed up by the officer taking the
same, with his name written across the
seal, and to be delivered or sent to the
Clerk of this Court to whom they shall
be addressed.

999
Dec. 1858.

The United States
vs
Nicholas P. Gentz.

The motion of the Attorney
for the United States to dismiss
the Libel and discharge the Ves-
sel enlisted in this cause
as this day been considered by the Court and it is ordered that the
same be and the same is hereby sustained.

Proclamation being made the Court is adjourned
until Monday morning at eleven o'clock.

Monday April 16th 1860.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable James M. Wayne
John Catron.
Samuel Nelson.
Robert C. Grier,
John A. Campbell
Nathan Clifford.
Special Justices.

William Seldon Ervin Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

Martin Ley
vs
Jeffries
George C. Watkins.

On error to the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judg-

sent of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

Per Curiam Jas Wayne.

The United States
vs
John L. Walker.

In error to the Circuit Court of the United States for the Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Curiam Jas. Wayne

	The United States	In error to the Cir
95	vs.	cuit Court of the
	Clinton Francis Hopkins.	United States for the
		Southern District

of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama and was argued by counsel; On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr. Justice Clifford.

	The United States	In error to the Circuit
96	vs.	Court of the United States
	Richard Le Train	for the Southern District
		of Alabama.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr Justice Clifford.

John Meriam, Comm Trader
John Chamberlain, Collector & Marshal
&c. Claimts of the Barque Griffin Intervenors
vs. Appellants
John Gunnway & Thos. C. Dickson Libltt.

157

Appeal from the Circuit Court of the United States for the Southern

District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the South[illegible] District of New York and was argued.

by counsel. On consideration whereof it is now hereby ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of New York.

Jn. Mc Lean Justice.

153

United States vs Appeal from Alex B. Mallett & Moses C. Madeira	In error to the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same

said for another that similar judgment
has in the Courts of the State of this
Year.

Jn. McLean Comptn.

John M Castur, Chas L. Hinkley
Henry L. Moss & Lafayette Emmich.
vs Appeals
Charles Symonds.

Appeal from the Supreme Court of the Territory of Minnesota.

138

This cause came on to be
heard on the Transcript of the record from
the Supreme Court of the Territory of Min-
nesota and was argued by Counsel. On
consideration whereof it is now here ordered
adjudged and decreed by this Court that the
decree of the said Supreme Court in this
cause be and the same is hereby affirmed
with costs. And it is further ordered
and decreed that this cause be and the
same is hereby remanded to the Supreme
Court of the State of Minnesota.

By a divided Court

Emma B. C. Thompson and
William B. H. White.

1153 vs. Jeffries in &c.
Richard Roe et dem: Louisa Carroll, Maria C. Pighuck, Ann C. Carroll, Sarah Nicholson, Rebecca Carroll, Mary May Hunt Daniel H. Pighuck and Catherine D. his wife, devisees of Daniel Carroll of Duddington, deceased.

Appeal from the Circuit Court of the United States for the District of Columbia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia, and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed & the said Circuit Court with directions to award a venire facias de novo.

Per Mr Justice Grier -

John Hagan Jr. Appt vs Jno. S. Preston Jr.	On motion of the appellee leave to file an amendment of this date filed on the 13th instant this day is ordered by the Court that the said application be and the same is hereby denied the same of the 16th of January last having been unanimously

303 Anson Bangs & Co Appts
vs
N. Blue Ridge R. R. Co.

On consideration of the motion to dismiss this appeal filed on the 19th ultimo by the Appellees Counsel for the appellee and of the arguments of Counsel thereon had as well in support of as against the said motion it is the opinion of this Court that an appeal bond may be taken and approved by any Judge or Justice authorized to allow the appeal or writ of error. Whereupon it is now here ordered by the Court that the appellants have sixty days to give the bond and for the same with the Clerk

of this Court, and that upon this coming into this Court the said motion shall be considered and it is further ordered by this Court that if the said appellant shall fail to give and file the said bond within the time aforesaid, that the said motion shall be granted and the said appeal dismissed.

Edmund J. Adams
vs. Appeal
Samuel Norris

103

The argument of this cause was continued by Mr. E. M. Stanton of counsel for the appellant in error

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Proclamation being made the Court is adjourned until tomorrow morning at seven o'clock.

Tuesday April 16th 1861.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable James M. Hayes
John Cahoon,
Samuel Nelson,
Robert C. Otis
John A. Campbell
Nathan Clifford
} Associate Justices

William Logan, Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court adjourned

On motion first made to the Court in this behalf by Mr. Ewing it is ordered that Nicholas Headington Esquire of Cincinnati State of Ohio be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

Tuesday April 17th 1860 Continued.

Mr Justice Wayne announced that the Court will take up no cases for argument nor receive any cases for print after Thursday the 3d of May next; and that it will adjourn on the following Monday.

105 Edmund G. Adams
vs
Samuel Merrick

The argument of this cause was continued by Mr Reverdy Johnson for the defendant in error and concluded by Mr Bingham of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday April 19th 1860. 1700

Pursuant to agreement the Court met this morning at the Capitol.

Present

The Honorable James M. Wayne.
John Catron
Samuel Nelson, } Associate
Robert C. Grier } Justices
John A. Campbell
Nathan Clifford
William Seiden Cayne, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Jonathan Emmons. } On the motion
vs. } of the Counsel for
Henry L. Buckhanan. } the appellees, it

is now here ordered by the Court that Lane be and the same is hereby granted him to file a motion to dismiss this appeal.

Wednesday April 15th 1874 Continued

	Henry Robinson &c.	The argument
26.	vs.	of this cause was
	Benjamin Ford.	Commenced by

Mr Frick of Counsel for the plaintiffs in error and continued by Mr C. H. Brown of Counsel for defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday April 19th 1860. 11 AM.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable James M. Bayne
John Eaton,
Samuel Nelson
Robert C. Cain,
John A. Campbell
Nathan Clifford
William Seton Esquire Marshal
William Thomas Carroll Clerk.

Proclamation having made the Court adjourned

In motion it is ordered by the Court in this case by Mr. Benjamin it is ordered that John M. Landman Esquire of the Supreme Court State of Louisiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

358	The United States vs Appellee Jose Maria Flores	Appeal from the Dist. Court of the United States for the South. and District of Califo-

rnia

H. Bond of Counsel for the Appellees having filed and read in open Court the following certificate, to wit

"Jose Maria Flores vs Appellant / The United States. } San Francisco 1st 1860. In appeal from U.S. Board of Land Commissioners.

I, Edmund Rick, the United States District Court for the Southern District of California do hereby certify that in the above entitled cause numbered 174, on the Docket of said Court wherein the United States are appellees and Jose Maria Flores is claimant and appellant a decree was rendered by said Court upon the 13th day of February A.D. 1857, in favor of the said claimant and appellant, and that afterwards, to wit, on the 24th day of February A.D. 1857, an appeal

to the Supreme Court of the United States was duly issued out by the said United States and allowed by the Court

In Witness whereof I have hereunto set my hand and affixed the seal of said Court this the 15th day of February A.D. 1866

Seal

Chas. Clerk

and having stated that the appellants have altogether failed to file the record in said cause in this Court or in any way to prosecute said appeal now here on motion the Court in pursuance of the 6th rule of this Court do hereby order that this appeal be and dismissed - On consideration whereof it is now here ordered adjudged and decreed by this Court that this appeal to the District Court of the United States for the Southern District of California be and the same is hereby dismissed and dismissed, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law

and justice the said appeal notwithstanding.

Jn Mr Just. Wayne.

354. The United States vs Appellee / Daniel Hill — Appeal from the District Court of the United States for the Southern District of California

Mr. Brent of counsel for the appellee having filed and read in open court the following argument, to wit.

"Daniel Hill vs Appellee / The United States } San Diego No 252. On appeal from the U.S. Board of Land Commissioners

A. G. Sims Clerk of the United States District Court for the Southern District of California do hereby certify that in the above entitled cause numbered 252 on the the Docket of said Court wherein Daniel Hill is claimant and appellee against the United States appellant, a decree was rendered by said Court upon the 9th day of February A.D. 1858 in favor

of said claimant and appellee and a
gainst the United States and that after
wards to wit on the 15th day of March
A.D. 1858, an appeal to the Supreme
Court of the United States was duly sued
out by the said United States and al
lowed by the Court.

In testimony I have hereunto
set my hand and affixed the
seal of said Court this the 2nd
day of January A.D. 1860.

Seal.

C. Sims, Clerk.

and having stated that the appellants
have altogether failed to file the record in
said cause in this Court, or in any way to
prosecute said appeal now here moves
the Court in pursuance of the 9th rule of
this court to have this appeal dismissed
and dismissed. On consideration whereof
it is now here ordered adjudged and de
creed by this Court that this appeal
to the District Court of the United States
for the Southern District of California
be and the same is hereby dismissed and

dismissed, and that this cause be and the same is hereby remanded to the said District Court for such further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

Opr. Mr Jus: Hague

	The United States appts vs Augustin Olvera Louis Jordan Vicente Bolanos & J. Lancaster Brent	Appeal from the District Court of the United States for the Southern District of California

360

The Board of Commrs for the appellees having filed & read in open court the following certificate, to wit:

Augustin Olvera Louis Jordan Vicente Bolanos & J. Lancaster Brent vs. The United States.	Land Clk No 63 On appeal from the U.S. Board of Land Commissioners.

I, Edmund Clark of the United States District Court for the Southern District of California do hereby certify that in the above entitled cause numbered 183, on

the docket of said Court wherein the
said Clara Sims Executrix, Isaac Isbell
Executor &c. Plaintiff are claimants &
against the United States a decree was
entered by said Court on the 15 day
of March A.D. 1856 in favor of said claim-
ants and that afterwards to wit on the
5th day of February A.D. 1857 an appeal
was duly prayed and had by the said United
States and allowed by the Court

In Witness whereof I have
hereunto set my hand and affixed
the seal of said Court this 6th
day of January 1860.

Seal.

C. Sims - Clerk.

And now this day it appearing that the respondents
have altogether failed to file their answer
in said cause in this Court & in
any way to prosecute said appeal -
Now on motion of the Counsel in behalf
and of the Petitioners of this Court it is
this appeal docketed and dismissed.
On consideration whereof it is now
here ordered adjudged and decreed by

Thursday April 19th 1860 Continued-

this Court that this appeal to the District Court of the United States for the South District of California be and the same is hereby dismissed and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

Per Curiam Hague.

The United States Appts
vs.
José Antonio Ignacio and Ignacio del Valle.

Appeal from the District Court of the United States for the South-

ern District of California.

Mr Brent of Counsel for the appellees having filed and read in open Court the following certificate to wit:

José Antonio Ignacio & Ignacio del Valle. vs. The United States. } Land Cas. No. 324 On appeal from the Bd Board of Land Commissioners.

I, Lewis Clerk of the United States District Court for the Southern District of California do hereby certify that in the above entitled cause number 327 on the docket of said Court, wherein José Antonio Aguirre and others are claimants against the United States a decree was rendered by said Court on the 18th day of March A.D. 1853 in favor of the said claimants and afterwards to wit on the 15th day of March A.D. 1855 an appeal to the Supreme Court of the United States was duly sued out by the said United States and allowed by the Court

In Witness Whereof I have hereunto set my hand and affixed the seal of said Court this 19th day of January 1860.

(Seal)

Lewis Clerk

and having stated that the assignments have altogether failed to get the case in said cause in this Court or in any way to prosecute said appeal. Now has moved the Court in pursuance of

1858 Thursday. April 15th 1858 Continued

the 9th day of this court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered and adjudged and decreed by this court that this appeal to the District Court of the United States for the Southern District of California be and the same is hereby docketed and dismissed and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

Per Mr Justice Wayne

The United States
vs Appeal
Ramon de la Cuesta } from the District Court of the United States for the Southern District of California
Francisco Gonzales Carmino

312

Mr Lloyd of counsel for the appellees having filed and read in open court the following certificate, to wit:

Ramon de la Cuesta and
Francisco Gonzales Ramine
substituted by order of Court
in lieu & stead of Manuel
Augusicle

vs

The United States.

Land Case
No. 153. on
appeal from
the United
States Dist
of Land Com
missioners

I, C. Sims, Clerk of the United States District Court for the Southern Dist
trict of California do hereby certify that
in the above entitled cause numbered
153 on the docket of said Court wherein
Ramon de la Cuesta and Francisco Gon
zales Ramine are Claimants against
the United States a decree was entered
by said Court on the 21st day of Febru
ary A.D. 1857 in favor of the said claimants
and that afterwards, to wit on the 13th day
of March A.D. 1858 an appeal to the United
States Supreme Court was by the said
United States filed and allowed
by the Court.

In Witness Whereof I
Sacramento set my hand

Thursday - April 19th 1860 Continued -

and affix the seal of said Court
this 19th day of January AD
1860.

B. Sims, Clerk

and having stated that the appellants
have asked the privilege to file the record
of said cause in this Court in any way
to prosecute said appeal now here more
the Court in pursuance of the 9th rule of
this Court to have this appeal docketed
and dismissed - On consideration whereof
it is now here ordered, adjudged and
decreed by this Court that this appeal
to the District Court of the United States
for the Southern District of California be
and the same is hereby docketed and dis-
missed, and that this cause be and
the same is hereby remanded to the said
District Court for further proceedings to
be had therein in conformity to law and
justice, the said appeal notwithstanding.

per Mr Justice Wayne.

363

The United States vs Julian Ursua & Pedro Rome	Appeal from the District Court of the United States for the Southern District of California

Mr Brent of Counsel for the appellees having filed and here in open court the following written Appeal bond

Julian Ursua & Pedro Rome, appellees vs The United States.	Said case No 181 on appeal from the U.S. Board Land Commissioners

I C. Sims Clerk of the United States District Court for the Southern District of California do hereby certify that in the above entitled cause, numbered 181 on the docket of said Court wherein Julian Ursua & Pedro Rome are claimants against the United States, a decree was rendered by the Court on the 19th day of December A.D. 1856 in favor of claimants aforesaid, to wit: on the 9th day of February A.D. 1857 an appeal to the

Supreme Court was issued out by the said United States and allowed by the Court.

In Witness whereof I have hereunto set my hand and affixed the seal of said Court this the 11th January 1860.

(Seal)

C. Sims, Clerk"

- and having stated that the appellants have entered their praecipe for the record in said cause in this Court or in any way to prosecute said appeal now here moved the Court in pursuance of the 4th rule of this Court to have this appeal docketed and dismissed - On consideration whereof it is now here ordered, adjudged and decreed by this Court that this appeal to the District Court of the United States for the Southern District of California be and the same is hereby docketed and dismissed and that this cause be & the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said

Appeal notwithstanding.
for Mr Justice Wayne.

36 Henry Chickering
vs
Jeffries
Benjamin Ford.

The argument of this cause was continued by Mr Brown of Counsel for the defendant in error and concluded by Mr Benjamin of Counsel for the plaintiff in error.

167 S.W. Hanbon Master owner of the Steam Towboat "Eagle Gill"
vs
Appeals
Harris & Morgan Gil, Claimants of Steamship Louisiana.

The argument of this cause was Commenced by Mr Benjamin of Counsel for the appellants.

Proclamation being made the Court adjourned until tomorrow morning at eleven o'clock

1865

Friday April 20th 1866.

Pursuant to adjournment the Court met this morning at the Capitol -

Present

The Honorable James M. Wayne
John Catron,
Samuel Nelson
Robert C. Grier,
John A. Campbell
Nathan Clifford
William Selden Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

Clifford Thurston &c. &c. of the Township City of New York Appellants
vs
Sudah Baker &al.

Appeal from the Circuit Court of the United States for the District of Massachusetts

210

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and the Briefs of Counsel for the respellants and Respondents

of counsel for the respective parties having filed a stipulation setting forth that the matters in controversy had been agreed on and settled between the parties and that each party should pay his own costs it is therefore now here ordered adjudged and decreed by this court that this cause be and the same is hereby dismissed and that each party pay his own costs in this cause.

Jos Dan Hughes

930 John T Martin &c
vs
Maja A Thomas &c.

Mr Coburn of counsel for the plaintiff in error and Mr Johnson of counsel for the defendants in error now here suggest to the court that William H. Thomas and Robert A Blake have been appointed administrators upon the estate of Maja A Thomas deceased and move the court that the said administrators be substituted on the record in said cause whereupon it is now here ordered

by the Court that the appearance of William H. Thomas and Robt. J. Baker administrators of Lindsay S. Thomas deceased be entered in this cause and that they be and hereby are made the defendants in error.

530 Jonathan Emerson vs. Appeal
Henry L. Buchanan et al. The motion to dismiss this cause was argued by Mr Badger of counsel for the appellees in support thereof and by Mr Baker of counsel for the appellants in opposition thereto.

116 Samuel Leiden vs. Jefferies
Isaac Coleman. Mr Guion of counsel for the plaintiff in error and Mr Eaton of counsel for the defendant in error moved the Court for leave to file a stipulation admitting a regular writ of error in this case & for leave to file a writ of error, and to use as a return thereto the return filed on this appeal. Whereupon this Court

not being now time sufficiently advised of case concerning to be taken in the premises took time to consider.

237 George H. Gay &c
vs.
William S. Washburn &c

Wm A. G. Porter as counsel said suggested that this appeal should be dismissed because the appeal is taken by a part only of the complainants against whom the decree of the Court below was rendered, and Wm H. Thompson of counsel for the respondents on the same moved the Court to set down this suggestion for argument on this day week. Whereupon it is now here ordered by the Court that the suggestion this day filed by Wm Porter be and the same is hereby set down for argument on next Friday the 27th instant.

J. H. Hawkins &c owners of the Steam Towboat "Eagle Cat" vs. Appeal
Harris & Morgan &c Owners of Steamship Louisiana

The argument of this cause was continued by Mr. Cushing of counsel for the appellees and concluded by Mr. Benjamin of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday morning at ten o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier
John A. Campbell
Nathan Clifford
Associate Justices

William Seaton Clerk and
William Thomas Carroll, Clerk.

Proclamation being made the Court sit[s] down.

The New York and Baltimore Transportation Company vs. The Steamboat Thomas Swann & Lawrence Kip Claimants

1710

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause coming on to be heard on the transcript of the record from the Circuit Court of the United States for

the Eastern District of Pennsylvania and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said District court in this cause be and the same is hereby affirmed with costs.

Jr. Mr. Justice Clifford

Henry Clinton
vs Appeal
The United States

3

Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and was argued by counsel. On consideration whereof it is the opinion of this court that the title of the petitioner is a good and valid one, and that the decree should be and is hereby affirmed. Wherefore it is now here ordered adjudged and decreed by this court that the decree of the said District court in this cause

be and the same is hereby reversed and annulled and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree in conformity to the opinion of this Court.

Per Mr. Justice Davis

The Orient Mutual Insurance Company vs Johnson & Wright & Co. and John L. Wright use of Maxwell Wright & Co.

Appeal from the Circuit Court of the United States for the District of Maryland

121

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit

Court with directions to award a venire facias de novo.

Per Mr Justice Nelson.

Mr Justice Clifford dissenting.-

The Insurance Company of Virginia vs. Wilcox & Wright's use of Maxwell Wright &c

Error to the Circuit Court of the United States for the District of Maryland

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel. On consideration whereof it is now hereby ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr Justice Nelson

Mr Justice Clifford dissenting.

173	John F Callan and Michael F Callan vs Appellees Charles H Latham et al	Appeal from the Circuit Court of the United States for the District of Columbia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Jn Mc Jas Nelson

116	Edward Lucas vs Appellee Isaac Coleman	On motion of the appellee and on the suggestion of his death by Mr Gillet of Counsel

On motion of the respective parties to reinstate this cause it is now here ordered by the Court that the said application be and the same is hereby denied

330 Jonathan Emerson vs Appeal Henry L. Swanson Jas. | In consideration of the motion made on the 20th instant by Wayne Yaeger and counsel to dismiss this cause one of the arguments of counsel thereupon had as well in support of as against the said motion & it now here ordered by the Court that the said motion be and the same is hereby overruled.

114 Edward Minturn vs Appeal James B. Lamar | The argument of this cause was commenced by Mr Wm. Hayday Johnson of counsel for the appellant and continued by Mr C. M. Stanton of counsel for the respellees.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honble. Roger B. Taney	Chief Justice
James M. Wayne.	
John Catron.	
Samuel Nelson,	Associate
Robert C. Grier.	Justices
John A. Campbell	
Nathan Clifford	

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

114 Edward Winston vs. Appt
James B. Sanford

The argument of this cause was continued by Mr Rowsey Johnson of counsel for the appellant

Tuesday April 24th 1860 Continued -

136.	Salvador Casbo vs Appt Thomas A. Hendricks Commissioner of the General Land Office.	The argument of this cause was commenced by Mr. Stephens of counsel for the appellant.

Proclamation being made the Court is accordingly until tomorrow morning at ten o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
James M. Wayne,
John Catron,
Samuel Nelson, Associate
Robert C. Grier, Justices
John A. Campbell
Nathan Clifford

William Selden Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

Salvador Castro Appt
vs
Thomas A. Hendricks
Commissioner of the
General Land Office.

135

The argument of this cause was continued by Mr Attorney General Black of counsel for the appellants and closed by Mr Hepburn of counsel for the appellees.

193 Patrick Hamilton
appt pr Caroline Link,
minor Plaintiff in Err.
vs Jefferson.
The State of Louisiana.

The argument of this cause was commenced by Mr Taylor of Counsel for the plaintiff in error continued by Mr Benjamin of Counsel for the defendant in error, and concluded by Mr Taylor for the plaintiffs in error.

194 James A. Chandler
vs. Jefferson.
Otto Von Reichenbach.

It is now here ordered by the Court that this cause be and the same is hereby continued pursuant to the terms of the Stipulation by the counsel filed in this cause.

195 William Barker et al.
vs. Jefferson
The United States.

This cause having been called for argument and no Counsel appearing ready to proceed with the same It is thereupon now here ordered by the Court that this cause be and the

same is hereby postponed to the first of the docket pursuant to the 26th rule of this Court.

178 Benjamin Haney Jnr. vs. Appellee
The Baltimore Steam Packet Co. owners of the Steamer Louisiana &c.

The argument of this cause was commenced by Mr. Bates of counsel for the appellants

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

1775. Thursday. April 26th. 1860.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	Roger B. Taney	Chief Justice
	James M Wayne	
	John Catron,	
	Samuel Nelson,	Associate
	Robert C. Grier,	Justices.
	John A. Campbell,	
	Nathan Clifford.	

William Tilden Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation having been made the Court is opened.

No. 178 Benjamin Harrycal. vs. Appeals
L. Baltimore Term
Docket & Journal of the
Court of Louisiana.

The argument of this cause was continued by Mr. Ballard Counsel for the appellants & by Mr. Ashley of Counsel for the appellees and concluded by Mr. Addison of Counsel for the appellants.

Thomas Whitridge vs. Libel of the Schooner Fannie Crocker. vs. Appeal Joshua Clift et al.

1176

The argument of this cause was commenced on by the Proctors of Libellant for the appellants

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday April 27th 1860.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honble	Roger B. Taney	Chief Justice
	James M. Wayne	
	John Catron	
	Samuel Nelson	Associate
	Robert C. Grier	Justices.
	John A. Campbell	
	Jansen Clifford	

William Logan Esqr. Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion it is ordered by the Court in this case by the Justices it appearing that Francis K. Cowdrey Esqr. of the City, State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr James M. Carlisle it is ordered that John F. Ennis Esquire of Washington City District of Columbia be admitted to practice in this Court and Commission of this Court and to act there accordingly.

235 Eli McMillan &c vs Jefferson Samuel Boyle, County Judge &c.

On motion of Mr Brown to dismiss petitioners supplemental as filed by him in support thereof.

232 Charles Baltimore vs Jefferson Postmaster &c.

Mr Baltimore for Petitioner & Mr Kellogg appeared for the Respondent & submitted this cause to the Court on the record and printed arguments now on file in this cause.

Whereupon this Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider.

Edmund Quintard and
others Complainants
Appellants
vs
Isaac A. Roberts
Defendant Appellee

Appeal from the Circuit Court of the United States for the Southern District of New York.

343

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and on the stipulation of Mr H. A. Butler of counsel for the appellants and Mr Loudon of counsel for the appellee which doth that the matters in controversy had been agreed and settled by the parties and that this appeal be dismissed at the costs of the appellants, it is therefore now here on the motion of Mr Loudon of counsel for the appellee ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed at the costs of the appellants.

per Mr Ch: Jus Taney

James B. Heard, John Thos
William H. Saulsbury & William
J. Lewis, owners of the
Steamboat "Falls City"
vs. Appellees.
and
James Shannon

Error to
the Circuit
Court of the
United States
for the Eastern
District of
Louisiana

This cause came on to be heard
on the transcript of the record from the
Circuit Court of the United States for
the Eastern District of Louisiana and
on the stipulation of the Counsel of counsel for the plaintiffs in error and motion
of counsel for the defendant in
error stating that the matters in
controversy had been agreed and settled
between the parties, and that this suit
might be dismissed at the costs of
the plaintiffs in error, it is therefore
on the motion of the Counsel aforesaid
ordered and adjudged by this Court that
this cause be and the same is hereby
dismissed at the costs of plaintiffs
in error.

Per Mr Ch. Jus. Taney

361 The United States vs Appeal from the Dist Court of the United States for the Southern District of California. / John Wilson

Mr Bowman of Counsel for the appellee having filed and read in open Court the following Certificate, to wit:

John Wilson vs The United States / Appellee } Land Case No 361 Docketed on Appeal from the Board of United States Land Commissioners Transmitted to the Solicitor entitled Monte de Retiro

I, Wm Ross Clerk of the United States District Court for the Southern District of California do hereby certify that in the above entitled cause No 361 on the Docket of said Court, wherein John Wilson is appellant and the United States are appellee a decree was entered in favor of the appellant and against the United States on the 6th day of February A.D. 1857 and that afterwards, to wit, on the 24th day of February A.D. 1857 an appeal to the Supreme Court of the United States was duly entered by the

United States are allowed by the Court

In Witness Whereof I have hereunto set my hand and affixed the Seal of said Court this the 6th day of February A.D. 1864.

(Seal.)

C. Sims. Clerk.

– and having stated that the appellants have altogether failed to give the record in said cause in this Court or in any way to prosecute said appeal – now pursuant to the order of this Court to them heretofore made and duly served – On consideration whereof it is now here ordered, adjudged and decreed by this Court that this appeal from the District Court of the United States for the Southern District of California be and the same is hereby dismissed and that mandate and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding –

Per Mr. Ch. Jus: Taney

365 The United States vs Appeal from the Raimond Carrillo et Wilson District Court of the United States for the Southern District of California.

Mr Redmond of counsel for the appellee having filed and read in open court the following affidavit to wit:

"Raimond Carrillo et Wilson - appellee vs The United States et al } same case from an appeal from the Board of U.S. Land Commissioners. Transcript p 41

to the place called "Lucy".

I, Edwin Bluett of the United States District Court for the Southern District of California, do hereby certify that in the above entitled cause now on the docket of said Court wherein Raimond Carrillo et Wilson is appellee and the United States are appellants, a decree was entered in favor of the appellee and against the United States on the 6th day of January A.D. 1857 and that afterwards to wit on the 24th day of February A.D. 1857 an appeal to the

Supreme Court of the United States was
sued out by the United States and
allowed by the Court.

In Witness whereof I have
hereunto set my hand and affix-
ed the seal of said Court this
the 6th day of February A.D. 1860.

S. Sims Clerk

(Seal.)

and having stated that the aforesaid
have asked the permit to file the record
in said cause in this Court or to take
any other proceedings in the premises
as may be necessary to remove said appeal from
said Court in pursuance of
the statute of this Court to such case
made and provided and dismissed. On con-
sideration whereof it is now here ordered
adjudged and decreed by this Court that
this appeal from the District Court of
the United States for the Southern District
of California be and the same is hereby
docketed and dismissed, and that the
cause be and the same is hereby remand-
ed to the said District Court for further
proceedings to be had therein in con-

formerly to have and possess the said appeal notwithstanding.

Jno Mc Chas. Taney.

Thomas Collier & al Claims of Steamship Falcon &c vs Appts Wm. A. Fenton &al

No 33

Mr Black of counsel for the appellees moved the Court to dismiss this appeal for the reasons set forth in the motion this date filed by him, and which was opposed by Mr Humphreys of counsel for the appellants. Whereupon this Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider.

Thomas Collier & al Claims of Steamship Falcon &c vs Appts Wm. A. Fenton &al

No 35

Mr Humphreys of counsel for the appellants having filed a suggestion of a diminution of the record in this case moved the Court for a writ of error; and which was opposed by Mr Black of counsel for the

appellees - Whereupon this Court not being now sufficiently advised of and concerning the Order to be made in the premises took time to consider.

1794 Thomas Whitridge for Claimants of the Schooner Jane Cooke. vs. Joshua Dall & al. The arguments of this cause was continued by Mr. Winder of counsel for the appellants.

by Mr Latrobe of counsel for the appellees and concluded by Mr Winder for the appellants.

1145 James Tobin Appellant. vs. Robert Hutchinson Jun. The Reasons of counsel for the Appellants in error moved the Court to dismiss this case for the reasons set forth in his written motion filed this day. Whereupon it is ordered by the Court that if the Counsel for the plaintiff in error will agree to

1850. Friday April 26th Continued -

subject without oral argument but the Court will entertain the consideration of the same.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Hugh C. Tawney Chief Justice
James M. Wayne,
John Catron
Samuel Nelson, } Associate
Robert C. Grier, } Justices
John A. Campbell,
Nathan Clifford

William Selden, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

	Edwin C. Adams	In error to the Cir
	et ux Appellants	cuit Court of the Un
105	Samuel Norris	ted States for the Dis
		trict of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this

Monday. April 30th 1860. Continued

ment that the judgment of the said circuit
court in this cause be and the same is
hereby affirmed with costs.

per Mr Justice Campbell.

[illegible] appeal from the Dis-
[illegible] trict Court of the U.
[illegible] nited States for the
[illegible] Northern District of
[illegible] California.

This cause came on to be
heard on the transcript of the record from
the District Court of the United States
for the Northern District of California
and was argued by counsel. On consid-
eration whereof it is now here ordered
adjudged and decreed by this court
that the decree of the said District Court
in this cause be and the same is hereby
affirmed.

per Mr Justice Grier.

Henry Adnucks &
Gustav H. Scheman
vs. Jeffkins.
Benjamin Ford

In error to the
Circuit Court of
the United States
for the District
of Maryland

This cause came on to be heard
on the transcript of the record from the
Circuit Court of the United States for the
District of Maryland and was argued
by Counsel. On consideration whereof
it is now here ordered and adjudged
by this Court that the judgment of
the said Circuit Court in this cause
be and the same is hereby affirmed with
costs and interest at the same rate as
similar judgments bear in
the Courts of the State of Maryland.

Jno Tho. Nelson

Eli Mc Millan &c.
vs. Jeffkins
Samuel Boyle County Judge
Robert Mc Farland Treasurer
of Lee County.

In error to the
Supreme Court
of the State
of Iowa

This cause came

on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed for the want of jurisdiction

Fr Ann Ch: Jus: Shaw

Thomas Cotton & Elijah S. Robinson Comrs of the State Hist. Fair Grounds &c Appts

vs. Appls

William A. Faubon and James F. Faubon

353

On consideration of the motion of Mr. Humphrey of counsel for the appellants for a writ of certiorari in this case it is now here ordered by the court that the said motion be and the same is hereby overruled.

Thomas Crittenden & Elijah S. Robinson Claimants of the Steamship Falcon her engines boilers &c	Appeal from the Circuit Court of the United States for the South ern District of New York.
353 vs. Appellees William A. Graham & James F. Freeborn.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York on the motion of Mr. Clerk of counsel for the appellees to dismiss the appeal and was argued by counsel On consideration whereof it is the opinion of this court that this appeal has been improvidently taken - Whereupon it is now ordered, adjudged and decreed by this court that this cause be and the same is hereby dismissed with costs.

For Mr. Ch. Jus. Taney.

1851. Monday April 30th 1851 Continued -

ce to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed for the want of jurisdiction

for Chief Justice Taney

Thomas Cowin & Elijah S. Robinson, Claimants of the Steam Boat Saloon her Tackle &c Apptts

vs.

William A. Fuhrer and James F. Fuhrer

355

On consideration of the motion of Mr. Humphreys of counsel for the appellants for a writ of Certiorari in this case it is now here ordered by the court that the said motion be and the same is hereby overruled.

Thomas Collier & Elijah S. Robinson Claimants of the Steamship Falcon their engines boilers &c
vs. Appeal from the Circuit Court of the United States for the Southern District of New York.
William A. Hudson & James F. Sheborn.

355

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and on the motion of Mr. Blatchford of counsel for the appellees to dismiss the appeal and was argued by counsel. On consideration whereof it is the opinion of this court that this appeal has been improvidently taken. Whereupon it is now ordered, adjudged and decreed by this court that this cause be and the same is hereby dismissed with costs.

Per Curiam Jas. Clarke.

113	James Robinson Griffin &c. vs. Robert Watkinshaw, James & Forbes & William C. Bacon	In error to the Circuit Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and on the motion of Mr Rodney of counsel for the defendants in error to dismiss the writ of error in this cause because the said transcript was not filed during the term next succeeding the suing out of said writ of error, and was argued by counsel. On consideration whereof it is the opinion of this Court that the motion should be granted on the ground that the writ of error has not been prosecuted in the manner directed nor within the time limited by the act of Congress for filing the transcript in this Court during the next succeeding term as aforesaid. It is therefore now here ordered and adjudged by this Court that this cause

be and the same is hereby dismissed with costs.

Per Mr. Justice Wayne.

Charles Baltance
vs.
Joseph L. Papin gal.
232

In consideration of the application of Mr Ballance of counsel for the plaintiff in error to submit the case on printed arguments it is now here ordered by the Court that the said application be and the same is hereby denied.

The Dubuque & Pacific Railroad Co.
vs.
Erwin C. Litchfield.
250

On consideration of the application here presented for a rehearing of this cause on the 20th instant it is now here ordered by the Court that the said application be and the same is hereby denied

180 The Washington Virginia & Georgetown Steam Packet Co vs Jefferson Dunnick & Parker for

On the motion of the Plaintiffs Counsel for the plaintiffs in error which was opposed by the Counsel for the defendants in error who offered to submit the case in behalf of his clients on the brief of himself and associate it is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

181 The Washington Virginia & Georgetown Steam Packet Co vs Jefferson Frederick & Parker for

On the motion of the Plaintiffs Counsel for the plaintiffs in error which was opposed by the Counsel for the defendants in error who offered to submit the case in behalf of his clients on the brief of himself and associate - it is now here ordered by the Court that this cause be and the same

is hereby continued to the next term of this Court

87 Asher P. Cutler et al vs Jeffries Ho. Norton Shaw & ors

This cause having been called for argument and no counsel appearing to prosecute the same It is therefore ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of Court.

183 Charles E. Jenkins et al vs Jeffries William L. Banning

This cause was argued by Mr. Gillet of Counsel for the defendant in error.

141 Thomas Richardson vs Jeffries. The City of Boston.

On the motion of the Judges of this Court to go to plaintiff in error it is ordered by the Court that this cause

be and the same is hereby continued to the next term of this Court

184 The United States vs Appeals Frederick Billings

On the motion of Mr Stanton of Counsel for the appellants and with the assent of the Attorney of Counsel for the appellees it is now hereby ordered by the Court that this cause be and the same is hereby continued to the next term of this Court

185 On his motion the Suit vs Appeals William Nelson

The argument of this cause was commenced by Mr Baxter of Counsel for the plaintiff in error

Proclamation being made the Court is adjourned until to morrow morning at ten o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable James M Kaine
John Cotton
Samuel Nelson, } Associate
Robert C. Grier, } Justices
John A. Campbell
Nathan Clifford

William Selden Clerk pro hac.
William James Carroll. Cabinet.

Proclamation being made the Court is opened.

Joseph W. Stanton & William L. Cotton partners under the style of J. W. Stanton & Co, and Henry C. Hooper owners of the Steam Towboat "Eagle Coal" — Appeal from the Court of the United States for the Eastern District of Louisiana

vs. Affects

Israel C. Harris & Henry Morgan surviving the commercial firm of Harris & Morgan, Charles Morgan and Jeremiah Smith Owners of the Steamship "Louisiana" —

167

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel - On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Louisiana.

By a divided Court.

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539 George W. Long &c vs Petitioners William J. Washburn &al.

On consideration of the suggestion filed on the 20th ultimo by counsel to dismiss this case one of the briefs of counsel to the contrary notwithstanding, it is now here ordered by the Court that the said suggestion be and the same is hereby overruled.

The United States. Appeal from the Dis
vs. Appts. trict Court of the
299 Vicente F. Gomez United States for the
1 T. 1035 Southern District of
California.

On consideration of the motion made in this cause on a prior day of the present term to wit on Friday the 29th day of January A.D. 1858 by the attorney General of the United States to remand the entry and decree of this court of the 31st day of January 1857 dismissing this appeal and to order the mandate issued by this court to the District Court of the United States for the Southern District of California and of the arguments of counsel thereupon had as well in support of as against the said motion, it is now here ordered by this court that the aforesaid decree of this court dismissing and dismissing this appeal be and the same is hereby rescinded and annulled and that the mandate issued by this court to the District Court of the United States for the Southern District of Califor-

nia in this case be and the same is hereby revoked and annulled: and it is further ordered by this Court that the Clerk of this Court do forthwith send a certified copy of this order to the aforesaid District Court of the United States for the Southern District of California.

Per Curiam Hayne.

185 Curtis Brannan et al. vs. Plaintiffs in Error.
William Wilson. Defendant in Error.

The argument of this cause was continued by the Point of counsel for the defendant in error and concluded by the Bar of counsel for the plaintiffs in error.

186 Thos. Nations et al vs. Plaintiffs in Error.
Nancy Ann Johnson et al. Defendant in Error.

This cause having been called for argument and no counsel appearing ready to proceed with the same, it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket for argument

to the 26th rule of Court

188 Ramsden & Japan Chile of the Ship Sarah &c vs. Assets Samuel Welsh. This cause having been called for argument and no counsel appearing ready to proceed with the same, it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

189 Charles Tate &c vs. Petitioner John C. Carney. This cause having been called for argument and no counsel appearing ready to proceed with the same, it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of court.

1960 James C. Hoy & pltff
vs
Richard H. Hinston James H. Lamon & Lewis Keffer jr partners doing business in the name of Hinston, Lamon & Co

In error to the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and the plaintiff in error having been three times solemnly called by the Marshal to come into Court and prosecute this writ of error and failing to appear, it is therefore on the motion of Mr Black of counsel for the defendants in error ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs.

Per Curiam Grier.

The State of Alabama
vs Complt Bill in Equity
The State of Georgia.

This cause came on to be heard on the bill and answer filed in the cause and was argued by counsel On consideration whereof it is the opinion of this Court that the law to be applied to the agreement the State of Alabama in this case is the law that was extended by the act of cession between the United States and Georgia is construed and must be applied: that by the aforesaid act of cession Georgia ceded to the United States all of her lands West of a line beginning on the Western bank of the Chattahoochee river where the same crosses the boundary line between the United States and Spain running up the said Chattahoochee river and along the Western bank thereof: that there is ownership and jurisdiction in the State of Georgia in the bed of the

river Chatahoochee and that the bed of the river is that portion of its soil which is ordinarily covered and left bare, as there may be an increase or diminution in the quantity of water and which is adequate to contain it at its average and mean stage during the entire year without reference to the extraordinary freshets of the winter or spring or the extreme droughts of the summer or autumn, and lastly that the western line of the cession on the Chatahoochee river must be traced on the water line of the actual bed of the Western bank and along that bank where that is defined, and in such places on the river where the Western bank is not defined it must be continued up the river on the line of its bed as that is made by the average and mean stage of the water as hereinbefore expressed, and it is accordingly hereby ordered, adjudged and decreed by this Court that the bill of complaint be dismissed and that each party pay its own costs in this Court: and it is further ordered

by this Court that the Clerk do forth with send to the Executive of each of the aforegoing States a duplicate Copy of this decree.

Jn. McLean Assc. Justice

Proclamation having been made the Court is adjourned until Friday morning at eleven o'clock.

Friday, May 4th 1860.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable James M. Wayne
John Catron,
Samuel Nelson,
Robert C. Grier
John A. Campbell
Nathan Clifford

. Associate Justices.

William Seldon Wayne Marshal
William Thomas Carroll Clerk,

Proclamation being made the Court was opened.

The United States
vs
James K. Paulding

53

. Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the

decree of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the petition of the claimant.

Per Mr Just: Catron.

Edward Minturn
vs. Appeal
James W. Larue, Collector
&c. &c.
Thomas H. Fouratt.

Appeal from the Judgment & Decree of the District Court for the Northern District of California

1111

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and was argued by Counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr Just: Nelson

135 Salmon Castle vs Appl Thomas A Hendricks Commissioner of the Chancellor Office

Appeal from the Circuit Court of the United States for the District of Columbia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Campbell.

174 Thomas Sun petitioner vs The Mayor & Council of the City of Vicksburg.

Error to the Circuit Court of the United States for the Southern District of Mississippi

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the Southern District of Mississippi and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court

Jos Desha Clerk

Frederick Frederickson Agent for Caroline Fink, widow, Plaintiff in Error
vs
The State of Louisiana. Defendant

175

In error to the Supreme Court of the State of Louisiana Eastern District

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana Eastern District, and was argued by coun-

on consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Jn. Mc. Lean Campbell.

Benjamin Henry Charles Lyden & John Pinchard. vs Appellees
The Baltimore Steam Packet Company Owners of the Steam Boat Louisiana & George S. Kassell.

Appeal from the Circuit Court of the United States for the District of Maryland.

1st

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to

the said Circuit Court for further proceedings to be had thereon in conformity to the opinion of this Court.

Jo Ingersoll Clerk.

1769

Thomas Whitridge for Claimants of the Schooner "Susan Crocker" Appellants

vs

Joshua Pitman. Appellee

Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest to be paid at the same rate per annum that similar decrees bear in the Courts of the State of Maryland.

Jo Mr Justice Catron.

John Beaty ex dem Curtis Mann & Josephus Hannah. vs. William Wilson.	185	In error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

For Mr Jus: Catron.

The Insurance Company of the State of Virginia vs. Moses B. Newcomb	253	In error to the District Court of the United States for the Western District of Virginia.

This cause came on to be heard on the transcript of the record from the District Court of the United

States for the Western District of Virginia
was on the motion of the Attorney
General for the plaintiffs in error it is
now here ordered and adjudged by
this Court that this cause be and the
same is hereby dismissed at the cost
of the plaintiffs in error.

per Curiam Taney.

183. Charles E. Jenkins Trustee
Roland & Jackson Marbury
vs. Plaintiffs in error
William L. Banning.

In error to the
District Court
of the United
States for the
District of
Wisconsin

This cause came on to be
heard on the transcript of the record from
the District Court of the United States
for the District of Wisconsin and was
argued by Counsel. On consideration
whereof it is now here ordered and
adjudged by this Court that the
judgment of the said District Court
in this cause be and the same is
hereby affirmed with costs and interest

at the rate of ten per cent per annum,
per Mr Justice Clifford

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976 Henry Sheldon, Nelson
Edwards & Edward A. Sheldon
vs
James Nicholson Thomas C.
Moore & Rebecca H. Nicholson.

In error to the District Court of the United States for the Western District of Texas

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Texas and on the motion of Mr Robinson of counsel for the plaintiffs in error it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed at the costs of the plaintiffs in error,
per Mr Justice Wayne.

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977 Henry Sheldon, Nelson
Edwards & Edward A. Sheldon
vs
James Nicholson Thomas C.
Moore & Rebecca H. Nicholson.

On the motion of Mr. Robinson of counsel for the plaintiffs in error it is

now here ordered by the Court that the Clerk deliver to him the transcript of the record filed in this case and that in lieu thereof he file the transcript of the said record thereof.

64 The United States vs Appeals Ellen E. White admr of Charles White dec'd. } Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed and annulled and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to the opinion of this Court. Opn. by Mr. Justice Grier.

Proclamation being made the Court is adjourned until the time and place appointed by Law.

At the Capitol of the United States in the City of Washington and District of Columbia being the present Seat of the National Government of the United States on the first Monday of December being the third day of the same month in the Year of Our Lord one thousand eight hundred and sixty, and of the Independence of the United States the Eighty fifth. The Supreme Court of the United States met agreeably to law.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	John Catron	
	Samuel Nelson	Associate
	Robert C. Grier,	Justices
	John A Campbell	
	Nathan Clifford	

William Selden Esquire Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

1831 . Monday December 5th 1831 Continued.

. Mr Chief Justice Taney announced to the Bar that the Court would announce the Case of the Cherokee Nation under the 26th rule.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean
John Catron
Samuel Nelson Associate
Robert C Grier Justices
John A Campbell
Nathan Clifford

William Selden Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On the opening of the Court this morning Jno Black the Attorney General of the United States made the following remarks

"May it please your Honors:-

I am compelled most reluctantly to inaugurate an sitting in these new apartments by referring to a great misfortune which you and I and all of us have suffered during the vacation. Since the close of the last term the seat

which should have been occupied by Mr. Justice Caton has been made vacant by his death. The place in this Court which knew him so nearly nineteen years will know him no more forever. I speak with peculiar propriety when I say, that I with the duty of making this announcement have been first upon some one to be able to do this necessary office. I knew him early as a Judge and my personal acquaintance with him even in that capacity began after his health and spirits had been broken by the saddest bereavements when all his work was done in the midst of pain and trouble and when the light of all his days was clouded with sickness and sorrow.

Born of a family which had furnished to Virginia some of the boldest defenders and ablest counsellors that graced her early history, he inherited the spirit of true patriotism and loved his native state with a fervor of devotion which never wavered or changed or cooled to his latest hour. He was brought up

among that class of great Statesmen whose influence, half a century ago pervaded the whole country, and whose opinions were every where accepted as the standard of political orthodoxy of that old school he was among the last. perhaps the very last survivor who mingled with the fathers upon a footing of equality, and received the precepts of wisdom from their own lips. It may be that the time is at hand upon us when the American people will learn the value of the lessons they taught.

Judge Daniel's attachments were not confined to Virginia. He had a large affection for the whole Union, and looked with alarm upon what he regarded as the signs of it's approaching decay. He gloried and always expressed a just pride in the great Structure which his fathers had helped to rear, and he did not attempt to conceal a corresponding dislike for those who were undermining its

foundations. These sentiments account for the fact that his judgments in this court are marked in a rather uncommon degree by frequent recurrence to the fundamental principles of the government, by a steadfast devotion of the Constitution strictly interpreted and by earnest exhortations to walk in the good old paths.

He held the pen of a ready writer. He was a ripe scholar and a good one. The evidences will be found all over his opinions, that he was a man of thorough education and cultivated literary tastes. His luminous mind never showed without effort the classical acquisitions of his youth. His style, though it sometimes seemed ambitious, was never inflated. His imagination was too well balanced by his judgment to lift him above or carry him beyond his subject, but it gave great vigor to his logic and added much to the momentum with which he reached his conclusions.

I need not say to you his brethren you know him long and intimately that he was a man of perfect integrity. The laws of this country have been administered by one judge who had a higher moral tone or who was influenced by purer motives. Above his attachment to the rights as he apprehended it was so true, and his consequent hatred of the wrong was so intense that he was sometimes in danger of going too directly to his purpose treating with too much contempt the obstacles that intervened. But love of justice even in excess is not only the first of judicial virtues but the noblest feeling of the human heart. The fault that is born of such a virtue gives its possessor a man little to our admiration. It is scarcely a paradox to say that a temper like that is more perfect than a better one.

He not only live like an honest man but he died like a Christian.

in the unshaken hope that his Merit would stand well. We know that it was not all of life to live nor all of death to die but he had fought the good fight, he had kept the faith and he was ready to be delivered.

A meeting of the Bar was held yesterday at which certain resolutions on this melancholy subject were passed and I was directed to lay them before the Court. Your Honors will permit me to express the hope that you will place on your records in some enduring form this evidence of the high estimation in which Judge Davis was held by the legal profession, and that you will add the testimony of the Court itself to his excellent worth as a man and a judge. Of such a character it is fit that the dignity should be vindicated and the loss made known. Let not the just man go to his grave unhonored: for these are not the times when we can lose the benefit of a great example."

To which the Chief Justice

Henry made the following reply.

"The Court Judiciously at
tend to the resolutions expressed by the
Bar and officers of the Court and to
the just tribute paid to the memory
of our deceased Brother by the attor
ney General in presenting them

Mr Justice Daniel was sensible
he associated with the labors and du
ties of this Court for nineteen years, and
some of us have been accustomed for
that long period of time to meet him
in the Bench around the private con
sultations and conferences among the
members of the Court, and we all feel
that he well deserves to be remembered
for the many high and excellent qual
ities which he constantly displayed
both as a man and a judicial officer.
The members of the Bar who have been
engaged in the argument of causes be
fore this Tribunal, can bear witness
to the attention and urbanity with
which he uniformly listened to them
and the members of the Court, who de

often met him and heard him when
assembled in their private Conferences
was known the patient and earnest
attention with which he investigated
and considered every case before
he formed his judgement upon it. His
published opinions delivered from this
Bench will shew his legal learning
and accurate research and also the
firmness and independence with which
he maintained the opinions he had de-
liberately formed and which he believ-
ed to be right.

His death has made our first
meeting in this new State a sad and
painful one and in Short closed
the proceedings of the Bar and officers
of the Court and the adoption of the
ordinary Crape to be worn on the
sleeves of the Gown, as a mark of
the due respect and regard of this
Tribunal of which he was so long a
member, and shall adjourn until to-
morrow without engaging in any of
the ordinary business of the Court.

The proceedings of the meeting were in the following words.

At a meeting of the members of the Bar and officers of the Court held in the Supreme Court Room on Monday the 3rd day of December 1860. The Hon Joseph Lewis of this district was called to the Chair, and John A. Rockwell Esquire of Litchfield appointed Secretary.

On motion of Edwin M. Stanton Esquire, it was resolved that a committee of three gentlemen be appointed by the Chair to prepare and report to the meeting resolutions on the occasion of the lamented death of the Honorable Peter V. Daniel, one of the Associate Justices of the Supreme Court of the United States.

Whereupon the Chair appointed Hons J. M. Mason S. F. Vinton and T. Phelps to constitute the committee.

Hon J. M. Mason on behalf of the Committee reported to the meeting

the following resolutions which were unanimously adopted.

Resolved That the members of the Bar and officers of the Supreme Court of the United States, deeply deplore the death of the Honorable Peter V. Daniel who for the space of nineteen years had filled an honorable position on the Bench of the Supreme Court, which he adorned by his simple purity of character his learning, industry and courtesy of manner.

Resolved: That they will cherish an affectionate remembrance of his many virtues and eminent worth as a judge, a patriot and a man, and that they will wear the usual badge of mourning during the session of the term.

Resolved: That the Chairman and Secretary of this meeting transmit to the family of the deceased a copy of these proceedings and assure them of our sincere condolence on account of the bereavement which they have sus-

loaned.

Resolved: That the Attorney General be requested to forward these proceedings to the Court with the request that they be entered on its minutes.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday December 5th 1860

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
John McLean,
James M. Wayne,
John Catron, Associate
Samuel Nelson, Justices
Robert C. Grier,
John A. Campbell,
Nathan Clifford.

William Selden, Esqr. Marshal
William Thomas Carroll Clerk,

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Stephen A. Douglas it is ordered that Samuel A. Tuttle Esqr. of Chicago State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Gardiner, it is ordered that James C. Sharp, Esquire of Lake City State of Florida be admitted to practice as an Attorney and Counsellor of this Court and he is sworn accordingly.

Charles E. Dutton . Appt

2 vs

The New Jersey R.R. & Transportation Co. Appellees

The argument of this cause commenced by Mr. Harding of Counsel for the appellant further.

Daniel Dignan . Appt

3 vs

The New Jersey R.R. & Transportation Co. Appellees

Chandler E. Milner . Appt

4 vs

The Newark Plank Road and Ferry Company Appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

1835. Thursday December 6th 1860.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
John Catron, Associate
Samuel Nelson, Justices
Robert C Grier,
John A Campbell
Nathan Clifford

William Selden Esquire Marshal,
William Thomas Carroll Clerk,

Proclamation being made the Court is opened.

Charles E. Milner Appt
vs
2 The New Jersey R R and Transportation Co Resp

David Bigelow Appt
vs.
3. The New Jersey R R and Transportation Co Resp
and
Charles E. Milner Appt
vs
4 The Newark Plank Road and Ferry Co Resp

The argument of these causes was finished on by Mr. Harding of counsel for the respondents and by Mr. J. P. Stanley of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

1837 Friday December 7th 1837.

Pursuant to the adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
John Catron
Samuel Nelson
Robert C Grier
John A Campbell
Nathan Clifford.
William Tilden Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

Thomas Mc League
vs
Elijah Griggs & al.

Mr Hughes of counsel for the plaintiff in error in this cause moved the Court to take from the files in this cause the argument of Mr Joseph L Smith because the same is impertinent and scandalous for the reasons set forth in his written motion on file Thereupon

on the suggestion of the Plaintiff by counsel for the defendants in error it is now here ordered by the Court that the said motion be and the same is hereby set down for next Friday the 11th instant.

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117 | John H. Bennett vs Plff in Error | Charles L. Wallach.

Mr Carlisle of counsel for the defendant in error, having suggested the death of John H. Bennett the plaintiff in error in this cause, Mr Brent of counsel for the plaintiff in error filed the appearance of John F. Ingle Executor of the said John H. Bennett and moved the Court for leave to the said Executor to appear and prosecute this writ of error. On consideration whereof it is now here ordered by the Court that the appearance of John F. Ingle the Executor of John H. Bennett dec'd be and the same is hereby entered as the plaintiff in error in this cause with liberty to prosecute this writ.

1834 Friday December 7th 1836 Continued.

2 Charles E. Wilson Appt
vs
The New Jersey R.R. and Transportation Co. Appt

3 David Bigelow Appt
vs
The New Jersey R.R and Transportation Co
—and—
Charles E. Wilson Appt
vs
The Newark Plank Road and Ferry Co. Appt

The argument of these causes was continued by Messrs Bradley & Zabriskie of Counsel for the appellees.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean
James M Kayne
John Catron Associate
Samuel Nelson Justices
Robert C Grier
John A Campbell
Nathan Clifford

William Selden Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr R H Gillet, it is ordered that Henry McGlun Esquire of Philadelphia, State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

3	Charles E. Milner. Appt vs. The New Jersey R.R and Transportation Co. Apt.	The arguments of these causes was continued by Messrs Zabriskie and Lewis of counsel for the appellees and by Messrs Keasbey & Green for the appellants.
3.	David Digelow. Appt vs. The New Jersey R.R and Transportation Co. and Charles E. Milner, Appt vs. The Newark Plank Road and Ferry Co. Apt.	
4		

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M Wayne
John Catron
Samuel Nelson, Associate Justices
Robert C. Grier.
John A. Campbell
Nathan Clifford

William Thomas Carroll Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court opened.

On motion first made to the Court on behalf by Mr Brockett it is ordered that George Morgan Dunn Esquire of Boston State of Massachusetts be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

	Charles C Mairs Appt	
2	vs	
	The New Jersey R R and Transportation Co &c.	The argument of this cause was concluded by Mr. Garland & Parker of counsel for the appellants
	David Boylan Appt	
3	vs.	
	The New Jersey R R and Transportation Co	
	—and—	
	Charles E Milner Appt	
11	vs	
	The Newark Plank Road and Ferry Co &c	

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Wednesday December 12th 1860.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean,
James M Wayne,
John Catron, } Associate
Samuel Nelson, } Justices
Robert C Grier,
John A. Campbell,
Nathan Clifford

William Thomas Carroll, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon Reverdy Johnson it is ordered that Joseph Shaw Esquire of Pittsburg State of Pennsylvania, and Thomas T. Gantt Esquire of St. Louis State of Missouri be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

106	Bannock Jones vs. Fifth Ins. James L. Soulard.	This cause was submitted to the Consideration of the Court on the Record and printed arguments by the Counsel for the plaintiff in error and by the Counsel for the defendant in error.

186	Henry Lucy Pltff. vs. The Virginia Coldstream Mutual Ins Company.	On the motion of Mr Lucy of Counsel for the plaintiff stating that the Counsel for the respective parties have filed a Stipulation to submit this cause in conformity to the 20th rule of Court and that the printed arguments had been filed on both sides pursuant to the requirements of said rule - It is therefore now here ordered by the Court that this cause be submitted pursuant and to said Stipulation.

186	Henry Mc Auley vs Cpltt The Mayor Aldermen & Commonalty of Albany	This cause was submitted to the court on the record and printed arguments by the Asst of Counsel for the plaintiff and by the Counsel of counsel for the defendants

96	Robert Q Sillman vs Compt The Hudson River Bridge Company at Albany. and	The argument of these causes was commenced by the Asst of Counsel for the complainants and continued by the Mayor of Albany for the defendants.
97	Frederick S. Coleman vs Compt The Hudson River Bridge Company at Albany	

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

1849 Thursday December 13th 1849

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	Samuel Nelson,	Associate
	Robert C. Grier,	Justices.
	John A. Campbell	
	Nathan Clifford.	

William Thomas, Esqr. Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court adjourned.

96	Robert G. Silliman vs. Comp'y The Hudson River Bridge Company at Albany and	The arguments of these causes was continued by Mr Page of Counsel for the complainants and by Mr Brady & Mr Hutson of Counsel for the defendants
97	Frederick H. Coleman vs. Comp'y The Hudson River Bridge Company at Albany	

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday December 11th 1860.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean,
James M Wayne,
John Catron, } Associate
Samuel Nelson } Justices
Robert C Grier,
John A Campbell
Nathan Clifford,
William Thomas Esquire Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Archibald Williams it is ordered that A. H. Anderson Esquire of Chicago State of Illinois be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion ordered that the Counsel in this Cause by Hon. S. A. Foster if is correct that William J. Ellis Esquire of the City of Albany State of Indiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion ordered that the Counsel in this Cause by Hon Henry Johnson it is ordered that Miles Beach Esquire of the City of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

96 Robert C. Gilliman
vs Compt
The Hudson River Bridge
Company at Albany

and

97 Frederick S. Coleman
vs Compt
The Hudson River Bridge
Company at Albany.

On motion by
the Counsel and
concluded by
Hon Henry
Johnson of
Counsel for the
Complainants.

1831. Friday, December 16th 186 Continued

Sabathiel S. Payne
vs
Jeffries.

Charles E. Butler Trustee of
Benjamin L. Hicksohn wife
of Charles A. Hicksohn

In error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and it appearing to the Court here that this is the second term at which this cause has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the costs of the plaintiff in error pursuant to the 16th rule of this Court. Whereupon it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law & justice.

per Mr. Ch. Jus. Taney

John Galbraith
vs
Peter Fisher

In error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and it appearing to the Court here that this is the second term at which this cause has been called for argument and that neither party is now prepared to argue the same - It is considered by the Court that this cause should be dismissed at the costs of the plaintiff in error pursuant to the 19th rule of this Court. Whereupon it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with Costs, and that this cause be and the same is hereby remanded to the said Supreme Court in order that the same may be proceeded in according to law and justice.

Jn. Mc. Ch. Jus. Taney

Henry Addison Mayer
of Georgetown - Plff in Er.
vs.
277
The United States at the
relation of Richard R Crawford.

In error to
the Circuit
Court of the
United States
for the District
of Columbia.

Mr. Carlisle of Counsel for the defendant in error having filed and moved open court the following certificate, to wit:

District of Columbia
Washington County, to wit:

I John A. Smith, Clerk of the Circuit Court of the District of Columbia for the County of Washington, do hereby certify that in a certain judgment rendered by said Court at the October Term thereof in the year 1859 in which the United States at the relation of Richard R. Crawford were plaintiffs and Henry Addison Mayer of Georgetown in said District were defendant the said defendant filed his writ of error bond: and thereupon a writ of error was issued to carry said cause to the Supreme Court of the United States returnable to

the next term thereof being December Term
1860 for the. And it further appears that
said writ of error is still pending and
all proceedings thereby suspended in
the said Circuit Court.

In Testimony whereof
I have hereunto subscribed
my name and affixed the
seal of said Court this 13th
Dec. 1860.

Thos. A. Smith C. C.

and having stated that the plaintiff in
error had altogether failed to file the
record of said cause in this court or in
any way to prosecute said writ of error
now here moved the Court in pursuance
of the 9th rule of this Court to have this
writ of error docketed and dismissed
On consideration whereof it is now here
ordered and adjudged by this Court
that this writ of error to the Circuit
Court of the United States for the Dist
rict of Columbia be and the same is
hereby docketed and dismissed with

costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

Per Mr. Ch. Just: Taney

Wm. Do Houghton David Hunsaker vs plffs in er Lucy K Jones.	In error to the Circuit Court of the United States for the Northern District of California

Mr Benjamin of counsel for the defendant in error having filed and read in open court the following Certificate, to Wit:

"In the Circuit Court of the United States for the Districts of California

Northern District.

Lucy K Jones

vs

Wm D. Houghton
Daniel Dunsaker

I, Cutler McAllister,

Clerk of the Circuit Court of the United States for the District of California do hereby certify that on the 1st day of September A.D. 1863 Judgment was rendered in this cause for the plaintiff that on the 8th day of September A.D. 1863 the said defendants herein duly sued out their writ of error which is now at

In Witness Whereof I have hereunto set my hand and the seal of said Court this 21st day of November A.D. 1863

Seal.

Cullen H. Wheeler.

Clerk.

And having stated that the plaintiff in error has altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, and has moved the Court in pursuance of the 6th rule of this Court to have this writ of error dismissed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that this writ of error to the Circuit Court of the United States for the

Northern District of California be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

per Mr. Ch. Jus. Taney

48. Thomas McLeague vs. Joseph Wolfinger. Appeal from the Supreme Court of California.

Mr. Hughes of Counsel for the plaintiff in error having filed a motion to strike out certain parts of an argument filed by Joseph F. Smith one of the defendants in error as scandalous and impertinent, now here stated to the Court that Mr. Phillips of Counsel for the defendants in error and himself as Counsel for the plaintiff in error had agreed to strike out certain paragraphs on pages 5. 5. 15 17 42 & 43 marked by them in a copy of said argument now here filed by him, and moved the Court

to direct the Clerk to strike them out of all the papers filed by said Complt & Smith. On consideration whereof it is now here ordered by this Court that the Clerk do forthwith strike out the paragraphs so indicated out of the aforesaid arguments.

101 The Board of Commissioners of Knox County — vs. Pltffs pro ex. Wm H. Aspinwall et al. — Motion of counsel for the defendants in error having filed and read in open court a suggestion of a diminution of the record in this cause in the the words and figures following, to wit:

"That the Clerk of the Circuit Court of the United States has omitted to return as a part of the record in this case a transcript of the opinion and order in this cause made by said Court on the 3d day of June AD 1859 on the motion then pending for a mandamus between the above named parties and has also omitted to return a transcript

of the declaration pleadings and judgment of the Court on said motion for a new trial all of which are necessary for a correct determination of the law upon the facts of the case"—

"By reason of which omissions and errors aforesaid the said Counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United States for the District of Indiana commanding them that searching the records and proceedings of said Court in this case they shall certify to this Court under the seal of the said Court whatever civil suits and errors shall be found. To which Mr. Porter of Counsel for the plaintiff in error assented"

"In consideration whereof it is now here ordered and adjudged by by this Court that a writ of certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the said Circuit Court commanding them that searching the records

and proceedings aforesaid duly certified to this Court under the Seal of the said Circuit Court whatever omissions and errors shall be found in this cause and return the same with the said writ of certiorari forthwith to this Court.

By the Court

Benjamin Ruffner &c
vs
Nathaniel D. Hogg

1867

The motion of the Attorney of Counsel for the defendant to dismiss this cause having been submitted to the Court for Decision in lieu of the Attorney of counsel for the defendant argued against the same. Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

Thomas Buchanan Jun. vs. Jeffersonville Robert Forsyth.	Mr Williams of counsel for the defendant in error moved the Court to dismiss this cause for the reasons set forth in his written motion filed in this cause on the 3d instant Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Richard Biggs Jun vs. Jeffersonville Robert Forsyth.	Mr Williams of counsel for the defendant in error moved the Court to dismiss this cause for the reasons set forth in his written motion filed in this cause on the 3d instant. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

John Dudge &c
vs
Robert Forsythe &c

Mr Williams of
Counsel for the
defendants in
this cause moved the

Court to dismiss this cause for the reasons set forth in his written motion filed in this cause on the 3rd instant Whereupon this Court not being now sufficiently advised of and concerning what order to make in the premises, took time to consider.

Charles Ballance
vs
Robert Forsythe &c

Mr Williams of
Counsel for the ap
pellees moved the
Court to dismiss
this cause for the reasons set forth in
his written motion filed in this cause
on the 3rd instant Whereupon this Court
not being now sufficiently advised
of and concerning what order to make
in the premises took time to consider.

77 Charles Ballance vs Plff in E
Joseph L. Pepper Jr Esqr

Mr Williams of counsel for the defendants in error moved the Court to dismiss this cause for the reasons set forth in his written motion filed in this cause on the 5th instant Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

78 Charles Ballance vs Plff in E
Samuel Hart Jr Esqr.

Mr Williams of counsel for the defendants in error moved the Court to dismiss this cause for the reasons set forth in his written motion filed in this cause on the 5th instant Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

79	Henry M Kellogg &c. vs Joseph & Robert Forsyth	Mr Williams of Counsel for the defendant in error moved the Court to dismiss this cause for the reasons set forth in his written motion filed in this cause on the 5th instant. Whereupon this Court not being now fully advised of and concerning what order to render in the premises took time to consider.
80	John Reynolds &c vs Joseph & Robert Forsyth	Mr Williams of Counsel for the defendant in error moved the Court to dismiss this cause for the reasons set forth in his written motion filed in this cause on the 5th instant. Whereupon this Court not being now fully advised of and concerning what order to render in the premises took time to consider.

135 Richard Clegg — vs — Edward F. Tilson

Mr Williams of counsel for the defendant in error moved the Court to dismiss this cause for the reasons set forth in his written motion filed in this cause on the 5th instant. Whereupon this Court not being now here sufficiently advised of and concerning what order to make in the premises took time to consider.

136 Richard Clegg — vs — Wm P Bryant

Mr Williams of counsel for the defendant in error moved the Court to dismiss this cause for the reasons set forth in his written motion filed in this cause on the 5th instant. Whereupon this Court not being now here sufficiently advised of and concerning what order to make in the premises took time to consider.

18 Charles Ballance vs. Fifth Annual Exhibition.

On the motion of Mr. Ballance the plaintiff in error by Mr. Williams

It is ordered by the Court that leave be and the same is hereby granted him to file the judgment and the proceedings to amend the judgment in this cause.

5 Joseph W. Patterson vs. The United States.

On the motion of Mr. Benjamin of Counsel for the appellants.

It is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket.

246 The Mississippi and Missouri Railroad Co. vs. James Ward.

Mr. Swaim of Counsel for the appellee moved the Court to take up this case out of its order and to set it down for argument on some certain day - On consideration whereof it is now here

ordered by the Court that Mr Lincoln give personal notice of his motion to the opposite Counsel.

112	James C Burn vs. Pfeffner Richard Smith	Mr Curtis of Counsel for the defendant in error having suggested the death of James C Burn the plaintiff in error since the last Continuance of this cause now has moved the Court for an order under the 15th rule of Court to make the proper representatives of the said plaintiff in error parties On consideration whereof it is now here ordered by this Court, that unless the proper representatives of the said James C Burn deceased, shall voluntarily become parties within the first ten days of the ensuing term of this Court the defendant in error shall be entitled to have this writ of error dismissed. Provided that a copy of this order shall be printed in some newspaper at the seat of Government in which the laws of

the United States shall be printed by authority for three successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing.

Ex parte: In the matter of Miss E. Brooks &c. vs. Comp'ts

6 cases

N. H. Brown &c.

The petition for a Mandamus or for a rule in this cause was argued by Mr Phillips in support thereof: Whereupon this Court not being now fully advised of and concerning what order to make in the premises took time to consider.

Friday, December 14th 1860. Continued.

Samuel Phillips Lyon et al vs Plff in Er. / Geo. C. Hawk et al.	Mr Otto of Counsel for the defendants in Error moved the Court to dismiss this cause. Whereupon it is now here ordered by the Court that the said motion be argued until the cause when regularly reached.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Court House

Present

The Honorable John M. Read
" James M. Wayne,
" John Catron, Associate
" Samuel Nelson, Justices.
" Robert C. Grier,
" John A. Campbell,
" Nathan Clifford

William Seton Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Black it is ordered that Isaac J. Wistar Esquire of Philadelphia State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Thomas A. Walton.		In error to the
12	vs.	Circuit Court
Henry Fitzhugh and Ethelbert		of the United
Dillingham under the name		States for the
of Fitzhugh & Dillingham		Northern District
		of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio and on the stipulation of the counsel for the respective parties that the matters in controversy had been agreed and settled between the parties and that this cause be dismissed. Whereupon it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs.

Per Mr. Justice McLean

John Doe & dem. Samuel Pheiffer & al.	vs	In error to the Circuit Court of the United States for the District of Indiana
16 George A. Hoover, Margaret Hoover, John M. Osby, Eliza Osby, Sarah J. Osby, John Gilmore & Eliza Hoover.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and it appearing to the Court here that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same it is considered by the court that this cause should be dismissed at the costs of the plaintiff in error pursuant to the 16th rule of this Court - Whereupon it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs, and that this cause be and the same is hereby

remanded to the said Circuit Court to be proceeded in according to law and justice.

Jpr: Mr Justice Miller.

Henry T. Dulkley Admr vs Appt The Naumkeag Steam Cotton Co.	This cause was submitted to the consideration of the Court on the record and printed arguments by the Solicitor General for the appellant and by the counsel of counsel for the appellees.

Henry Addison Mayo of Georgetown vs Plff in Er. The United States at the relation of Richard K. Crawford	Mr N. Hunter Davis of counsel for the plaintiff in error now here moved the

Court to recall and amend the judgment entered in this cause on a former day of this term, to wit: on Friday the 14th instant docketing and dismissing this writ of error and for leave to file the record

and docket this cause pursuant to the rules of this Court. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider

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The United States
vs Appts
Lands Chauvet.

This cause was submitted to the consideration of the Court on the same and printed arguments by the Attorney General Black of counsel for the appellants.

The United States
vs Appts
The Guadalupe Mining Co

On the motion of Mr Attorney General Black of Counsel for the appellants, it is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

10	Wm H. Phillips vs Fitzhugh Lewis Page.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Keller of counsel for the plaintiff in error and by Messrs Latrobe & Johnson of counsel for the defendant in error.
11	John Fitch vs Appt Edward Creighton	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Evarts of counsel for the appellants and by Mr Swayne of counsel for the appellee
13	The United States vs Appts Hiram Barnes	On the motion of Mr Attorney General Black, It is now here ordered by the Court that this cause be and the same is hereby postponed for the present

114 The United States vs Jeffries George A. Stewart

On the motion of Mr Attorney General Black of Counsel for the plaintiffs in error, It is now here ordered by this Court that this cause be and the same is hereby continued to the next term of this Court.

15 The United States vs Jeffries Charles E. Mason

On the motion of Mr Attorney General Black of Counsel for the plaintiffs in error, It is now here ordered by this Court that this cause be and the same is hereby continued to the next term of this Court.

Monday December 17th 1860, Continued.

	Angelina B Eberly &c.	This cause
17	vs Plffs in Er	was argued
	Lewis Moore & al.	by Mr Hale
		of Counsel for

the plaintiffs in error and submitted on a printed argument by Mr Baldwin of Counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court
met this morning at the Capitol.

Present.

The Honorable John McLean
James M Wayne
John Catron
Samuel Nelson,
Robert C Grier,
John A Campbell
Nathan Clifford.
} Associate Justices.

William Seldon Esquire Reporter
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this
behalf by Hon Reverdy Johnson it is ordered
that William Kahl Esquire of San
Francisco State of California, and Simon
Statz Esquire of Philadelphia State of
Pennsylvania, be admitted to practice
as Attorneys and Counsellors of this
Court and they were severally sworn
accordingly —

Tuesday, December 18th 1866, Continued.-

On motion first made to the Court in this behalf by Hon John B. Stevenson it is ordered that Thomas B. Monroe Jr. Esquire of Lexington State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Henry A Burr Albert H Bugbee James M Nisbet vs. Appeal from the Circuit Court of the United States for the District of Connecticut

18 Henry C Comstock vs. John B. Taylor

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut and it appearing to the Court here that this is the second term at which this cause has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the costs of the appellants pursuant to the 16th rule

of this Court Whereupon it is ordered
here ordered, adjudged and decreed
by this Court that this cause be and
the same is hereby dismissed without
cost and that this cause be and the same
is hereby remanded to the said Cir
cuit Court to be proceeded in accor
ding to law and justice

J. M. Jones W. C. Dunn

19

Christ Church Philadelphia
in trust for Christ Christ
Hospital filed in
vs
The County of Philadelphia

This cause
was argued
by Mr Ingr
Johnson of
Counsel for
the plaintiff

in error and submitted on a printed
argument by Mr King of Counsel
for the defendant in error

13 The United States vs. Ephs Horace Chase. On the motion of the Attorney General Black of counsel for the appellants and with the assent of the Justices of counsel for the appellee. It is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

20 Russell Sturgis Claimant &c vs Ephs Horace Sawyer &al. The argument of this cause was commenced by the Benedict of counsel for the libellants and continued by Mr J. S. Williams of counsel for the claimants of the Ship Wisconsin.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Court House.

Present

The Honorable John McLean
James M. Bayne
John Cahoon, } Associate
Samuel Nelson, } Justices
Robert C. Grier,
John Humphreys,
Nathan Clifford

William Selden, Esquire, Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

90 Russell Sturgis Claimant &c Appellt
vs
Herman Boyer &c

The argument of this cause was conducted by Mr Williams of Counsel for the claimants of the Ship Himalaya, and submitted on a printed argument by Mr Coburn of counsel for the Claimant of the Steam Tug Hector.

1853 Wednesday December 14th Nov Continued.

Major Curtis
vs
David Mumford &c.

This cause was argued by Mr. Hale of Counsel for the plaintiff in error and submitted on a printed argument by Mr Ballinger of Counsel for the defendants in error.

Geo. W. Galveston
vs
Chas. Fox.

This cause was submitted to the consideration of the Court on the written and printed argument of Mr Todd of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at ten o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present,

The Honorable John M. Dean
James M. Dayon
John Gibson, Associate
Samuel Nelson, Justices
Robert McGee
John A Campbell
Nathan Clifford

William Seldon Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon P C. Badger it is ordered that John Baxter Esquire of Knoxville State of Tennessee be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

Thursday December 20th 1860 Continued.

On motion first made to the Court in that behalf by Mr Chandler Mason it is ordered that Samuel F. Miller Esquire of Keokuk State of Iowa be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

Hiram Parsons
vs Appl
John Reid

Appeal from the Circuit Court of the United States for the District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri and it appearing to the Court here that this is the second term at which this cause has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court here that this cause should be dismissed at the cost of the appellant pursuant to the 16th rule of this Court

Whereupon it is now here ordered and decreed by this Court that this

cause be and the same is hereby dismissed with costs and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice

Jno. Mc Lean Just: McLean

Salmon P Heath & William T Van Pelt vs Henry M. Innes.	Appeal from the Circuit Court of the United States for the District of Wisconsin

26

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin and it appearing to the court here that this is the second term at which this cause has been called for argument, and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the costs of the plaintiffs in error pursuant to the 16th rule of this Court.

Whereupon it is now here ordered

1859. Thursday December 20th 1860 Continued.

and adjudged by this Court that this cause be and the same is hereby dismissed with costs and that this cause be and the same is hereby remanded to the said District Court to be proceeded in according to law and justice

Jn. Mc. Lus. McLean

Christopher C. Stanley for &c. vs. Appts
Jesse H. Lee &c.

The argument of this cause was commenced by Mr Lincoln of counsel for the appellants continued by Mr Phillips of counsel for the appellees and concluded by Mr Lincoln of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M Kinsey
Peter Curtis } Associate
Samuel Nelson } Justices
Robert C. Grier
John A Campbell
Nathan Clifford.

William Selden Esquire. Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Reverdy Johnson it is ordered that Seaman Holmes Esquire of Vancouver Washington Territory, and George B. Hibbard Esquire of Buffalo State of New York be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly

1859 Friday December 2nd 1859 Continued.

On motion just made to the Court in this behalf by Hon J. L. N. Stratton it is ordered that Daniel F. Tompkins Esquire of the City of New York State of New York be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Ex parte: In the matter of the Commonwealth of Kentucky one of the United States of America by Beriah Magoffin, Governor and the Executive Authority thereof Petitioner

vs

William Dennison Governor of the State of Ohio

1 of 1

On petition for a mandamus or for a rule on William Dennison Governor of Ohio to show cause why a mandamus should not be issued by this Court commanding him to cause Willis Lago a fugitive from justice to be delivered up to be removed to the State of Kentucky having jurisdiction of the crime of which he is charged.

Wm Thomas B. Monroe for having
read in open court the petition filed herein and also the exhibits filed with said petition and having moved the Court for a writ of mandamus or for a rule to show cause pursuant to the terms of said petition, - it is therefore now here considered and ordered by the Court that the said motion be and the same is hereby set down for argument on this day three weeks, to wit: on Friday the twenty sixth day of January 1861. And it is further ordered that the Clerk of this Court do forthwith issue a copy of this rule nisi of the petition and exhibits herein to be served on his Excellency William Dennison Governor of Ohio

Thomas Mechan &c. Pltffs in error
vs
Robert Forsyth Defendant

73

On the motion of Wm Keating in behalf of Wm. Badgeman of Counsel for the plaintiffs in error It is now hereupon by the Court that the motion to dismiss this cause made by Wm Willi-

1861 Friday December 27th Court Continued.

cause on the 28th instant day over until the arrival of Mr Ballance so that he may reply to the said motion

74 Richard Gregg &al. vs. Pltffs in Error
Robert Forsyth

On the motion of Mr Kellogg in behalf of Mr Ballance of Counsel for the plaintiffs in error It is now here ordered by the Court that the motion to dismiss this cause made by Mr Williams on the 28th instant lay over until the arrival of Mr Ballance so that he may reply to the said motion.

75 John Gregg &al. vs. Pltffs in Error
Robert Forsyth

On the motion of Mr Kellogg in behalf of Mr Ballance of Counsel for the plaintiffs in error It is now here ordered by the Court that the motion to dismiss this cause made by Mr Williams on the 28th instant lay over until the arrival of Mr Ballance so that he may reply to the said motion.

76 Charles Ballance vs. Appt. Robert Forsyth &c. On the motion of Mr Kellogg in behalf of the Ballance & Counsel for the Appt pursuant to it is now here ordered by the Court that the motion to dismiss this cause made by Mr Williams on the 10th instant lay over until the arrival of Mr Ballance so that he may reply to the said motion

77 Charles Ballance vs. Plaintiff in Error Joseph S. Fapington. On the motion of Mr Kellogg in behalf of Mr Ballance of Counsel for the plaintiff in error. It is now here ordered by the Court that the motion to dismiss this cause made by Mr Williams on the 10th instant lay over until the arrival of Mr Ballance so that he may reply to the said motion.

98	Charles Ballance vs. Plff in Error. Samuel Hailgat.	On the motion of Mr. Kellogg in behalf of Mr Ballance of Counsel for the plaintiff in error, It is now here ordered by the Court that the motion to dismiss this cause made by Mr Williams on the 18th instant lay over until the arrival of Mr Ballance so that he may reply to the said motion.
99	Henry M. Kellogg et al vs. Plff in Error Robert Forsyth	On the motion of Mr Kellogg in behalf of Mr Ballance of Counsel for the plaintiffs in error, It is now here ordered by the Court that the motion to dismiss this cause made by Mr Williams on the 18th instant lay over until the arrival of Mr Ballance so that he may reply to the said motion.

80 John Reynolds &c
pl. pltffs in err.
Robert Forsyth

On the motion of Mr Kellogg in behalf of Mr Williams of counsel for the plaintiffs in error, It is now here ordered by the Court that the motion to dismiss this cause made by Mr Williams on the 11th instant lay over until the arrival of Mr Ballance so that he may reply to the said motion.

135 Richard Gregg
vs pltff in err.
Edward P. Tesson

On the motion of Mr Kellogg in behalf of Mr Ballance of counsel for the plaintiff in error. It is now here ordered by the Court that the motion to dismiss this cause made by Mr Williams on the 11th instant, lay over until the arrival of Mr Ballance so that he may reply to the said motion.

136	Richard Grego vs. Petition William P. Bryant	On the motion of Mr Killeen in the last of Mr Ballance of Counsel for the plaintiff in error. It is now here ordered by the Court that the motion to dismiss this cause made by the Williams on the 14th instant lay over until the arrival of Mr Ballance so that he may dispute the said motion.
920	The United States vs. Petition Jeremiah O'Sullivan	Mr Farnal of Counsel for the defendants in Error having filed and read in Open Court a Petition of a diminution of the record in this cause in the words and figures following, to wit: "That after the rendition of the judgment there was an execution issued out by the plaintiff a long and date and said execution of the execution, and the marshal's return of long and said summons upon said execution which is of file

in the proceedings - all of which are ne
cessary to determine the law upon the
case

By reason of which omissions and
errors aforesaid the said counsel now
here moved the court to award a writ
of certiorari to be directed to the judges
of the District Court of the United States
for the Eastern District of Texas command
ing them that searching the records and
proceedings of said Court in this case
they send distinctly to this court under the
seal of said court whatever omissions
and errors shall be found for certain
causes whereof it is now here ordered
and adjudged by this court that a
writ of certiorari be and the same is
hereby awarded to be issued forthwith
to be directed to the judges of the said
District Court commanding them
that searching the records and pro
ceedings aforesaid they or the like cer
tify to this court under the seal of
the said District Court whatever o
missions and errors shall be found

is this cause and where the same with the said record of testimony is ordered to this Court.

Jno. Mc. Pherson Justice

31 Henry Hostetter
vs
Abraham Mellon jr.

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and it appearing to this Court now that this is the second term at which this cause has been called for argument and that neither party is now prepared to argue the same it is considered by the Court that this cause should be dismissed at the cost of the appellants pursuant to the 16th rule of this Court. Whereupon it is now here ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed with costs, and

that this cause be remitted to the same with
by remanded to the said Circuit Court
to be proceeded in according to law and
justice.

Jn. Mac Ch. Jus. Taney

James A. Chandler
vs
Jeffries.
Otis Hendrickson &al.

32

The argument of
this cause was
commenced by
Mr Pinkney of Counsel for the plaintiff in error and continued
by Mr Hall of Counsel for the defendants
in error.

Pendente lite being made the Court is not
joined with Hennessy managing Executor

1860 Wednesday, December 26th 1860.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John McLean
James M. Wayne
John Catron, Associate
Samuel Nelson Justices
Robert C. Grier,
John A. Campbell,
Nathan Clifford

William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

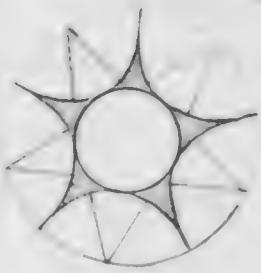
The Honorable Edwin M. Stanton appeared and produced the following Letters Patent which were read in open Court and ordered by the Court to be recorded on the minutes of this Court in the following words, viz

"James Buchanan,
President of the United States of America.
To all who shall see these Presents, Greeting,

Know Ye That in placing special trust and confidence in the Patriotism Integrity and Abilities of Edwin M. Stanton. I have nominated, and by and with the advice and consent of the Senate do appoint him to be Attorney General of the United States, and do authorize and empower him to execute and fulfil the duties of that office according to law and to have and to hold the said office with all the powers, privileges and emoluments thereunto of right appertaining unto him, the said Edwin M. Stanton during the pleasure of the President of the United States for the time being.

In Testimony whereof I have caused these Letters to be made patent and the Seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington the Twenty sixth day of December, in the Year of our



And one thousand eight hundred and sixty and of the Independence of the United States of America the Eighty fifth.

James Buchanan

By the President
J. S. Black
Secretary of State."

On motion first made to the Court in this behalf by the Attorney General Stanton it is ordered that C. P. Wolcott Esquire of Columbus, State of Ohio be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Reverdy Johnson, it is ordered that A. H. Garland Esquire of Little Rock State of Arkansas be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly

Wednesday December 26th 1860 Continued 1902

Ex parte: In the matter of Allen G. Brush for

vs.

William H. Barnum for

Orig.

An petition for Mandamus to be made on the Circuit Court U. S. for Middle District of Tennessee to show cause why an appeal should not be granted.

On consideration of the petition for a Mandamus to be directed to the Circuit Court of the United States for the Middle District of Tennessee, to show cause why an appeal should not be granted in this cause and of the arguments of counsel thereupon had, It is ordered and adjudged by this Court that the mandamus prayed for be and the same is hereby denied, and that the said petition be and the same is hereby dismissed.

By a divided Court.

1893. Saturday March 26th 1864 Continued.

	Henry Addison Mayer of Georgetown petitioner	In error to the Circuit Court of the United States for the District of Columbia
294	vs.	
	The United States on the relation of Richard K Crawford.	

On consideration of the motion made by the U. States Counsel on a previous day of the present term of this Court to wit on Monday the 14th instant to recall and amend the judgment entered in this cause on a previous day of this term to wit on Friday the 11th instant dismissing this writ of error, and to leave to file the record and docket this cause pursuant to the rules of this Court it is ordered adjudged by this Court that the said motion be and the same is hereby overruled.

Jo Jno Jas McLean

Wednesday December 26th the Court met

Joseph C. Palmer et
vs. Appeals
The United States.

The arguments
of this cause
were commenced
by Mr Benjamin
of counsel for the appellants & continued
by Mr. J. S. Black for the appellees
was concluded by Mr Benjamin
for the appellants.

Whereupon the Court adjourned
until tomorrow morning at eleven o'clock

Thursday December 27th 1860

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean,	
	James M. Wayne,	
	John Catron,	Associate
	Samuel Nelson,	Justices.
	Robert C. Grier	
	John A Campbell,	
	Nathan Clifford	

William Tilden, Esquire Marshal,
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

Chas A Wetherston — In error to the Circuit Court of the United States for the Eastern District of
vs pltff in
Edward Noble.

Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and

was argued by counsel and it appearing to the Court that the death of the said George H. Hamilton the plaintiff in error was suggested at the last term of this court and that the proper representatives have not been made parties pursuant to the 15th rule of Court.

It is therefore now here ordered by the Court that the writ of error in this cause be and the same is hereby abated and that this cause be and the same is hereby remanded to the said District Court to be proceeded with according to law and justice.

Pr. Mr Justice McLean

William Patterson
vs
N. Lovell &c.

In error to the District Court of the United States for the Southern District of Iowa

On consideration of the motion made by the counsel for the defendants in error to docket and dis

writ of error pursuant to the statute in such case the plaintiff in error having failed to file the same and docket the cause in conformity to the rules of Court and it appearing to the Court upon an inspection of the certificate of the Clerk that the said Certificate is obscure in not setting out at length the names of all the parties in the case It is therefore now here ordered by the Court that the said motion be and the same is hereby overruled.

Per Mr. Jus. McLean

1907 Benjamin Rogers &c vs Upshr Nathaniel B. Hogg

On consideration of the motion made to dismiss this cause on the 11th instant and of the argument of counsel thereupon had It is now here ordered by this Court that the said motion be and the same is hereby overruled.

Per Mr. Jus. McLean

82

James A. Chandler
vs
Jeff in re.
Ella Vanderpool.

The argument of this cause was continued by Dr Robinson of counsel for the defendants in error, and concluded by Mr Fischer of counsel for the plaintiff in error.

Proclamation being made the Court stands adjourned until tomorrow morning at eleven o'clock.

Friday December 25th 1860.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean,
James M. Wayne,
John Catron,
Samuel Nelson
Robert C. Grier,
John A. Campbell
Nathan Clifford
Associate Justices.

William Selden, Esquire Marshal,
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Montgomery Blair it is ordered that William F. Goodwin Esquire of La Cross State of Wisconsin be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The Mississippi and Missouri Railroad &c. vs. Ephis James Ward.

The motion to take this cause out of the regular order on the docket and set it down for some special day during this term filed in this cause on the 15th instant was argued by Mr Swain in support thereof and by Mr Blair in opposition thereto.

260

The parties by their respective Attorneys

Allen A Cook &c vs. William H Brownson.

On the motion of Mr Phillips of Counsel for the petitioner It is now here ordered by the Court that the Clerk of this Court deliver to him the transcript of the record filed in this cause and that the Clerk certify his transcript thereof in lieu of the said transcript.

being

38. William Walker &c. vs. Cliffs in a The United States.

Mr Phillips of Counsel for the plaintiffs in error having suggested the death of William Walker one of the plaintiffs in error since the last continuance of this cause moved the Court to continue this cause to the next term and with leave to the proper representatives of the said William Walker deceased to enter their appearance and become parties to this writ of error with the right to prosecute the same as co-plaintiffs in error. On consideration whereof it is now here ordered by the Court that leave be and the same is hereby granted to the proper representatives of the said William Walker deceased to enter their appearance in this cause and to prosecute this writ of error as co-plaintiffs in error, and that this cause be and the same is hereby continued to the next term of this Court.

23 John C. Hoag Jr
vs. Pfeffiner.
The People of the State
of California.

This cause was
argued by Mr
Blair of counsel
for the plaintiff
in error.

34 The Washington, Alexandria
& Georgetown Steam Packet Co.
vs. Pfeffiner.
Frederick E. Sickles et al
and
35 The Washington, Alexandria
& Georgetown Steam Packet Co.
vs. Pfeffiner in er
Frederick E. Sickles et al.

The arguments
of these causes
was commen
ced by Mr.
Baugh of
Counsel for
the plaintiffs
in error.

Proclamation being made the Court is ad
journed until Monday morning at eleven o'clock

Monday December 31st 1860.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	John McLean,	
	James M. Wayne,	
	John Catron,	Associate
	Samuel Nelson,	Justices
	Robert C. Grier,	
	John A. Campbell,	
	Nathan Clifford	

William Thomas Carroll Clerk,

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. J. P. Hinton it is ordered that Daniel Stanford Lamb Esquire of Athens and Robert Lusk Esquire of Cambridge State of Ohio be admitted to practice as attorneys and Counsellors of this Court and they were severally sworn accordingly.

Russell Sturgis, Colmt of the
Running Master his tackle
&c employed with the Ship
Wisconsin her tackle &c.
vs. Appl't,
Herman Boyer. Albert
Snedeker and Jeremiah
R. Robinson owners of the
Sighter Republic, - Libellants

On appeal from
the Circuit
Court of the Unit
ed States for the
Southern District
of New York.

This cause came on to be
heard on the transcript of the record
from the Circuit Court of the United States
for the Southern District of New York and
was argued by counsel On consider-
ation whereof it is now here ordered and
adjudged and decreed by this Court that
the decree of the said Circuit Court in
this cause be and the same is here-
by affirmed with costs and interest
until paid at the same rate per
annum that similar decrees bear
in the Courts of the State of New York.
per Curiam Grier Justice.

Henry F. Durkee Claimant of the Barque Edwin vs. The Nauticus Steam Cotton Co.	Appeal	On appeal from the Circuit Court of the United States for the District of Massachusetts.

352

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Massachusetts.

Pr: Mr. Justice Nelson.

John Dolan
vs. Appl
Edward Creighton

On appeal from the Circuit Court of the United States for the Northern District of Ohio

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio and was argued by counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest on bill paid at the same rate per annum that similar decrees bear in the courts of the State of Ohio

Pr. Mr. Jus. McLean

Monday December 31st 1860 Continued -

260	The Mississippi & Missouri Railroad Co. Appellee vs. James Laird.	On consideration of the motion made in this cause on the 28th instant, and of the argument of counsel thereupon had as well in support of as against the said motion, it is now here ordered by the court that the said motion be and the same is hereby overruled.
34	The Washington Alexandria Georgetown Steam Packet Co. vs. Frederick C. Sickles et al. and The Washington Alexandria & Georgetown Steam Packet Co. vs. Frederick C. Sickles et al	The argument of this cause was continued by Messrs Bradley & Stone of counsel for the defendants in error.

Proclamation being made the Court is adjourned until Wednesday morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
" John McLean,
" James M Wayne,
" John Catron, Associate
" Samuel Nelson, Justices
" Robert C Grier,
" John A Campbell
" Nathan Clifford

William Selden, Clerk
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr Elliot it is ordered that Marcellus Campbell Esquire of New York State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Wednesday January 2d 1861 Continued -

On motion first made to the Court in this behalf by Mr Badger it is ordered that Joseph B. Heiskell Esquire of Rogersville State of Tennessee be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Cushing it is ordered that Chas Putnam jr. Esquire of Boston State of Massachusetts be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. Phillips it is ordered that Patrick McLaughlin Esquire of Baltimore State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Wednesday, January 2nd 1861 Continued 1130.

The Rector Church Wardens and Vestrymen of Christ Church in the City of Philadelphia in trust for Christ Church Hospital vs. Pltffs in er.	Error to the Supreme Court of Pennsylvania for the Eastern District
19 The County of Philadelphia.	

This cause came on to be heard on the transcript of the record from the Supreme Court of Pennsylvania for the Eastern District and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Campbell.

	The Washington Alexandria & Georgetown Steam Packet Co. vs Jeffries Frederick C. Stakes & an and. The Washington Alexandria & Georgetown Steam Packet Co. vs Jeffries Frederick C. Stakes & an.	The argument of these causes was concluded by Mr Bradley of counsel for the plaintiff in error.
26	Jonas H. Sutton & al. vs Jeffries. H. Norton Stump & an.	On the motion of Mr. Bradley of counsel for the plaintiffs in error, it is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

37 | Thomas Richardson vs Jeffries & the City of Boston. | The argument of this cause was commenced by Mr Carlisle of counsel for the plaintiff in error

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday January 3d 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B Taney Chief Justice
" John M'Lean,
" James M Wayne,
" John Catron, Associate
" Samuel Nelson, Justices
" Robert C Grier,
" John A Campbell
" Nathan Clifford.

William Selden Esquire Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Carroll it is ordered that Joseph C Duncan Esquire of New Orleans State of Louisiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

37 Thomas Richardson. vs Plaintiffs in Error. The City of Boston.

The argument of this cause was continued by Mr. Choate for and Rushing of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday January 7th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
"	John M. Lean	
"	James M. Wayne	
"	John Catron	Associate
"	Samuel Nelson	Justices.
"	Robert C. Grier	
"	John A. Campbell	
"	Nathan Clifford	

William Selden, Esqre. Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court opened.

8 The United States
vs. Appls
Claude Chaun, William Martin, Thomas P. Turner and Albert Rowe.

Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for

Northern District of California and was argued by counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the petition of the Claimants

per Mr. Campbell

17

O. E. Crosland adm[r] of Angelina B. Eberly dec[d] & Taylor Eberly a minor by his next friend F. A. Stockdale - Plffs in er.

vs.

Lewis Moore & Charles Rabun

Error to the District Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Texas and was argued by counsel On consideration whereof it is now

him ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Campbell

Joseph L. Palmer Charles H. Cook Belthuel Phips & Lester K. Wright.

vs. Appeals

The United States.

Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by Counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Mr Justice Campbell

106 Bennett Jones
vs
James G. Soulard

Appeal to the Circuit Court of the United States for the District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Catron

186 Henry Avery plff
vs
The Mayor Aldermen & Citizens of Allegheny City

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be

been on the transcripts of the record from the Circuit Court of the United States for the Western District of Pennsylvania and on the point or question upon which the judges of the said Circuit Court were opposed in opinion and which was certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof it is the opinion of this Court that the issue of bonds with coupons in the case stated are not null and void but that it was done under the authority of constitutional acts of the State of the State of Pennsylvania in the case stated and further that they are not null and void for any irregularity connected with that issue by the City of Allegheny - Whereupon it is now here ordered and adjudged that it be so certified to the said Circuit Court.

Jn. Mc. Jas. Wayne.

48 Thomas M. Swann
vs. plff in er
Cyrus H. Espey & al. } On the motion of Mr Hughes of counsel for the plaintiff in error. It is ordered that leave be and the same is hereby granted him to file a supplemental brief in this cause.

277 Henry Addison Mayor of Georgetown
vs. plff in er
The United States at the relation of Richard W. Crawford. } On the motion of Mr Carlisle of counsel for the defendants in error. It is now here ordered by the Court that the Clerk may issue a writ of procedendo or mandate in this cause during this term of the Court

Monday January 7th 1861 Continued -

Chas. G. & Henry A. Taylor
vs pltffs in er
Marcus Morton late Gov. &c
and
Edward Curtis Admr
vs pltffs in er
Ernst Fiedler.

Mr Cushing of Counsel for the plaintiffs in error in No 81 and for the defendant in error in No 284 having stated to the Court that the two cases presented the same points & questions for the decision of this Court moved the Court that No 284 be set down for argument at the same time with No 81. Whereupon it is now here ordered by the Court that No 284 be argued with No 81 and when the latter is reached in the regular call of the docket.

Thomas Richardson
vs pltff in er
The City of Boston.

The argument of this cause was concluded by Mr Badger of Counsel for the plaintiff in error.

38 James National's pl'ffs in pl'ffs in error vs Nancy Ann Johnson def't

This cause was argued by Mr. Paschal of counsel for the plaintiffs in error.

39 Sampson & Simpson Comm'rs of pl'ffs vs Samuel Welsh et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Messrs Thornton & Stone of counsel for the appellants and by Messrs Hellen & Swift of counsel for the appellees.

Proclamation being made the Court is continued until tomorrow morning at eleven o'clock.

Tuesday January 8th 1861.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Roger B. Taney, Chief Justice
John McLean,
James M. Wayne,
John Catron,
Samuel Nelson,
Robert C. Grier,
John A. Campbell,
Nathan Clifford,
Associate Justices

William Seldon, Esqre. Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

No. Charles Jule &c. vs. Plaintiffs in Error
John G. Carney.

This cause was argued by Mr. Taylor of Counsel for the defendant in error and submitted on a printed argument by Mr. Benjamin of Counsel for the plaintiffs in error.

111

Robert Gue - Appt
vs
The Tide Water Canal Co.

The argument of this cause was commenced by Mr Mc Laughlin of counsel for the appellant and continued by Mr Cotton of counsel for the appellees.

Whereupon the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday, January 9th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne Associate
John Catron. Justices
Samuel Nelson
John A. Campbell
Nathan Clifford

William Linden, Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon. H. Winter Davis, it is ordered the Bayne Howard Shackelford Esquire of Fairfax Co State of Virginia be admitted to practise as an Attorney and Counsellor of this Court and he was sworn accordingly.

41 Robert Gue. Appt
vs.
The Delaware Canal Co.

The argument of this Cause was resumed by Mr. P.

M. Hamilton of Counsel for the appellant

42 The Sheriff of Lehigh Mortgagee.
vs. Appellee
The Frostburg Coal Co.

The argument of this cause was commenced by Mr. Shenkel for the Appellants in error.

Proclamation being made the Court is adjourned until tomorrow morning at ten o'clock.

Thursday, January 10th 1861

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne Associate
John Catron Justices
Samuel Nelson
John A. Campbell
Nathan Clifford

William Selden Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

112 The Issue of Josiah Prosser Plff in er. vs. The Frostburg Coal Co.

The argument of this cause was continued by Messrs Jones & Price of Counsel for the defendant in error and by Mr Davis of Counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John M Lean,
James M. Wayne
John Catron Associate
Samuel Nelson, Justices
Robert C Grier
John A Campbell
Nathan Clifford

William Dodson Clerk pro tem
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

Ex parte: In the matter of the Commonwealth of Kentucky one of the United States of America by Beriah Magoffin Governor and the Executive authority thereof -

Original &c. vs Petitioner
William Dennison Governor of the State of Ohio.

Mr Stevenson of counsel for the Governor of Kentucky having filed and

Friday, January 11th 1861 Continued.

read in open court an application by the Counsel for the Governor of Ohio to postpone the argument of this cause to Friday the 8th day of February and having also assented thereto in behalf of the said petitioner. It is therupon now here ordered by the Court that this cause be and the same is hereby set down for argument on Friday the 8th day of February.

The Legal of Hannah Frost et al vs Petitioners in Error The Frostburg Coal Co.	The argument of this cause was commenced by Wm. Price of Counsel for the plaintiffs in error.

Susan Liget vs Petitioner Henry Naylor.	The argument of this cause was commenced by Mr. Blair of Counsel for the plaintiff in error, continued by Mr. Bradley of Counsel for the defendant in error and concluded by Mr. Blair of Counsel for the plaintiff in error.

Wm A. Hare
vs
Joseph S. Fisher

This cause was argued by Mr Blair of Counsel for the defendant and in error and submitted on printed arguments by Mr Merriman for the defendant in error and by Mr Browning for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday morning at ten o'clock

Monday January 14th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney, Chief Justice
John McLean,
James M. Wayne,
John Catron,
Samuel Nelson,
Robert C. Grier,
John A. Campbell,
Nathan Clifford
Associate Justices
William Selden, Esqr. Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon E. D. Baker it is ordered that Lewis L. Loeb, Esquire of San Francisco State of California, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

22	Miguel Garcia et pltffs in Error vs David Mumgord & Jesse Mumgord.	In error to the District Court of the United States for the Western District of Texas

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Texas and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be & the same is hereby affirmed with costs.

Pr. Mr. Justice Nelson

45	Geo. H. Kyle et al pltffs in Error vs John MacRae &c.	The argument of this cause was commenced by Mr. Thomas for the plaintiffs in error & continued by Mr. Brown of counsel for the defts in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday January 15th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Chief Justice Roger B. Taney
John McLean,
James M. Wayne,
John Catron,
Samuel Nelson,
Robert C. Grier,
John A. Campbell
Nathan Clifford.

Associate Justices.

William Selden Esqr. Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Christopher G. Fenner Esqr.
A. Jones George L. Hanks Esq
rick Rogers, William M. Clure
Samuel Boggs William Jones
Leander H. Berry, Charles H.
Smith and Stephen Allen, co
partners and trading under
the name of the "Nail Works"
vs. Appeal
Silas H. Page and Joseph C. from the
Seake, Owners of the Steamboat Circuit
"G. Nicholson" — Court of
the United
States for
the Dist
of
Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceed

ings to be had therein in conformity to the opinion of this Court.

Pr. the Hon: Mr Dean

Geo: H. Kyle Esq. vs. John MacRae Esq.

115

The account of this cause was continued by Mr. Geo: H. Brown and Mr Geo: M. Gill of counsel for the defendants in error and concluded by Mr. Hall of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday January 16th 1861. 119

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Hugh L. Bay Chief Justice
John McLean.
James M. Wayne
John Catron, } Associate
Samuel Nelson, } Justices
Robert C. Grier
John A Campbell
Nathan Clifford

William Nelson Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

116 Wm Thompson &c Plffs in Er
vs
Lewis Roberts &c al

The argument of this cause was commenced by the Mayor of counsel for the plaintiffs in error and continued by the Counsel of counsel for the defendants in error

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock.

Thursday January 17th 1861

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney Chief Justice
John McLean
James M Kayne
John Catron, Associate
Samuel Nelson Justices
Robert C Grier,
John A Campbell,
Nathan Clifford

William Seaton Esquire Marshal.
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Phillips it is ordered that Edward Duncan Esquire of Washington District of Columbia be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

16 Wm Thompson pet vs Jeffersonian. Lewis Roberts & ux.	The arguments of this cause were continued by Mr. Hayes of counsel for the plaintiffs in error.
23 John L. Shinn jr. vs pltff in er The People of the State of California	This cause was not called to the consideration of the Court & therefore argument by Mr Benjamin of counsel for the defendants in error.
17 Henry S. Foote vs pltff in er Lyons M. Gregory et.	The arguments of this cause was continued by the Hughes of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday, January 18th 1861 —

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron, Associate
Samuel Nelson, Justices
Robert C. Grier
John A. Campbell
Nathan Clifford.

William Selden, Esquire Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Stephen Coffin - plff in error
vs
Reynolds B. Manner Benjamin Jennings & Samuel S. White late partners under the firm of Manner Jennings &c.

947

In error to the Supreme Court of the State of Oregon —

Mr. H. S. Lovell of counsel for the defendants in error having filed and read in open court the following certif-

icate, to wit:

"At a Supreme Court begun and held at the Court Room in the City of Salem in and for the Territory of Oregon, on Thursday the sixth day of August in the year one thousand eight hundred and fifty seven before the Hon. George H. Williams Chief Justice and Hon. P. Long and Lyman Olney Associate Justices the following proceedings were had in

Stephen Coffin
vs Plaintiff in error
Hamner, Jennings & Co.
Defendants in error

Error to Clackamas.

"This day after argument by Counsel for defendants in error upon the errors assigned in the record and proceedings of the District Court herein. Thereupon it is considered that there is not error as alleged in the said record and proceedings. Therefore it is ordered and adjudged that the said judgment heretofore rendered in said District Court be in all respects affirmed: and that the said defendants

in error have and recover from the said plaintiff in error and against Thomas Stephens and James Terwilliger, his securities in error, the sum of said judgment two thousand one hundred and thirty and 50/100 dollars with interest thereon from the eighth day of September 1856; together with the sum of two hundred and fifty one and 25/100 costs in the District Court and the further sum of nine and 50/100 dollars costs in the Supreme Court and have execution issuing out of this Court therefor."

And afterwards at said term, there was made of record the following order, to wit:

"August 17th 1857.

Stephen Coffin, plaintiff in error vs. Hamner Jennings &c defts in error } Error to Clackamas County

This day it is ordered upon petition of Stephen Coffin, plaintiff in error, that a writ of error to the Supreme Court of the United States be allowed to said plaintiff in error in the

above entitled cause upon his giving bond with security in the penal sum of $1.500.00 within forty five days from the date of this order. said bond to be approved by the Clerk and conditioned to prosecute the said writ of error to effect and answer all damages and costs if he shall fail in said prosecution"

And afterwards on the 29th day of September 1837 there was filed in this Supreme Court a Bond in words and figures following to wit:

"Supreme Court
Territory of Oregon
Stephen Coffin, plaintiff in error } Judgment
vs. } at August
Hamon Jennings Def. defts } Term 1837

We promise to pay all that may be awarded against Stephen Coffin aforesaid in his writ of error in this cause to the Supreme Court of the United States: and also the judgment if affirmed to the amount of forty five hundred dollars and the damages on any new or modified judgment that may

be given against him.
Dated September 29, 1857 Stephen Coffin
C. A. Reed,
Benj. Stark, "

Upon which bond are indorsements to wit
"Bond for error in
Coffin vs Hamm, Jennings &c" and
Approved Sept. 29th 1857 and filed
J. G. Nelson Clerk of
the Supreme Court of Oregon"

And thereupon there was issued a notice of the taking of said writ of error in words and figures to wit.

The United States of America
Territory of Oregon
ss

To Dolphus B. Hamm, Benjamin Jennings and Samuel A. White late partners under the firm of Hamm Jennings &c -
Greeting:- You are hereby cited and admonished to be and appear at a Supreme Court of the United States to be holden at Washington on the first Monday of December next pursuant to an order allowance of a

writ of error by the Supreme Court of Oregon wherein Stephen Coffin is plaintiff in error to show cause if any there be why judgment in said Court rendered against said plaintiff in error in an action wherein said allowance of writ of error mentioned should not be corrected and why speedy justice should not be done to the said parties in that behalf

Witness the Hon. Lafayette Williams Chief Justice of the Supreme Court of Oregon Territory and A. G. Hilton Clerk of said Court and the Seal thereof at Salem this 9th day of November A.D. 1859

A. G. Hilton, Clerk
of the Supreme Court of Oregon Territory"

Upon which writ was endorsed as follows, to wit:

"Notice in Coffin
vs
Hammer Deming & Co" } ats
Territory of Oregon County of Clackamas, ss.

"This is to certify that I have this 16th day of November 1857 served the within notice by delivering a copy to James A. White one of the defendants in person at his residence in said County of Clackamas personally

A. Holcomb
Sheriff Clackamas County

Sheriffs fees being 50 cents mileage 25 Making in $1.35

And afterwards there was issued out of this Supreme Court a further notice in words and figures following, to wit:

The United States of America
to Wolfstein B. Hamer Benjamin Jennings & J. S. White of the firm of Hamer Jennings & Co.

Greeting:

You are hereby cited and admonished to be and appear at a Supreme Court of the United States to be holden at Washington on the first Monday of December next pursuant to a writ of error filed in the Clerks Office of the U. S. Supreme Court in and for Oregon Territory

in a cause wherein Stephen Coffin was plaintiff in error and you were defendant in error to show cause if any there be why the judgment therein rendered against the said plaintiff in error as in the said writ of error mentioned should not be reversed and why speedy justice should not be done to the parties in that behalf.

Witness the Honorable Geo H. Williams Chief Justice of the U. S. Supreme Court of Oregon Territory this 10th day of May in the year of our Lord one thousand eight hundred and fifty eight

J. C. Nelson Clerk of the said Court and the seal thereof affixed the said last day and year.

S. G. Nelson, Clk. Marshall of the Territory of Oregon"

Upon which is indorsed as follows, to wit:

"Territory of Oregon Clackamas County ss.

On this eighth day of June in the year of our Lord one thousand eight hundred and fifty eight personally appeared A. Holland Sheriff of Clackamas County, before me the subscriber J. S. Holland Deputy Clerk of the District Court of said County, and makes oath that he delivered a true copy of the within citation to Benjamin Jennings, one of the within named defendants in Oregon City in said County this 8th day of June 1858.

Witness my name and the seal of said Court hereto annexed.

J. S. Holland Deputy Clerk

Sheriffs fees serving returning citation, 50 cents per mile - Postage 10. $1.60

And afterwards upon the records of this Supreme Court was made the following entry to wit:

"Stephen Coffin

vs

Benjamin Jennings et al.

Transcript sent to the U. S. Supreme Court June 11 1858 162 folios $40.50

Certificate & Seal .50
Chas Hess serving notice of appeal 1.60
Postage paid by J. Boffin ($1.00)
Supreme Court Costs in full 7.00 "
District " " " " 25.12½ "

State of Oregon
County of Marion ss. I J. C. Wilson
Clerk of the Supreme Court of the State of
Oregon do hereby certify that the foregoing
is true and perfect copies of the Journal
entries in said cause as appears from
the original records now in this my
office - and that the foregoing are true
copies of the bond and notices for appeal
as appears from the originals on file in
this my office - and I further certify
that I forwarded to the Clerk of the
Supreme Court of the United States
at Washington on the 11th day of June A.D.
1858, a perfect transcript of the proceedings
proceedings & records in said cause
in this Court -

In Witness whereof, &c.
J. C. Wilson, Clerk aforesaid

have hereunto set my hand
and seal official at Salem
Oregon this 19th day of November
A.D. 1860.

J.G. Wilson Clerk of the
Supreme Court of the State of Oregon

Fee for this Transcript
14 folios @ $3.50
Certificate & Seal 50
$4.00

State of Oregon S.S.

I Aaron E Wait Chief Justice of the Supreme Court of State of Oregon do hereby certify that I am well acquainted with the hand writing of J.G. Wilson Clerk of the Supreme Court of the State of Oregon and that the signature purporting to be that of said J.G. Wilson appended to the foregoing certificate is his genuine signature and that the said Wilson on the seventeenth day of November inst. was and now is the sole Clerk of the Supreme Court of the State of Oregon duly appointed and qualified,

and the legal custodian of the records of the late Supreme Court of the late Territory of Oregon and of the Supreme Court of the State of Oregon: That the seal annexed to said Certificate is the genuine seal of the Supreme Court of the State of Oregon and that said Certificate of said Justice is in due form.

In Witness whereof I have hereunto set my hand officially at Portland in Multnomah County in said State the twenty fourth day of December in the year one thousand eight hundred and sixty.

Jesse C. Hait,
Chief Justice of the Supreme Court of the State of Oregon"

— and having shewn that the plaintiff in error has altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error — now here moved the Court in pursuance of the 6th rule of this Court to have this writ of error docketed and

dismissed. On consideration whereof it is now here ordered and adjudged by this Court that this writ of error to the Supreme Court of the State of Virginia be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

13	James Meehan &c vs Jeffersonian Robert Stanyth	Mr Ballance of counsel for the plaintiffs in error in these causes argued in opposition to the motions of the Defendants to dismiss them on consideration whereof this Court not being now here
17	Charles Ballance vs Jeffersonian Joseph L. Pasquay.	
18	Charles Ballance vs Jeffersonian James Hartzell and	

79	Henry M. Kellogg jun vs Complt Robert Forsyth	Sufficient to on hearing of and Considering this order to render in the premises took time to consider.

80	William Higgins jun vs Complt John B. Craig jun.	Mr Howard of Counsel for the complainant having suggested to the Court the indisposition and conse quent inability of his colleague Coun sel to argue this cause when it should be reached in the regular course of the docket, moved the Court to set down this cause for argument on the first Saturday day of February being the 6th proximo. On consideration whereof it is now here ordered by the Court that this cause be and the same is hereby set down for argument on the 6th proximo —

John L. Groom
for plff in
Henry Sheldon.

132.

Mr Robinson of
counsel for the defend-
ant in error having
suggested the death
of Henry Sheldon since the last continu-
ance of this cause and having prov-
ed and read in open Court the following certi-
ficate, to wit:

"The State of Texas
County of Galveston } This certifies
that Letters of Administration with the
will annexed on the estate of Henry
Sheldon, deceased, were issued to Thos
L. Shackelford by the County Court of Gal-
veston County on the 4th of May 1860 as
appears from the records of said Court
and that he is now recognised and
treated as such by said Court.

In Testimony whereof I, Oscar
Parish Clerk of the County Court
of Galveston County have hereunto sub-
scribed my name and affixed the
seal of said Court this the 10th
day of December A.D. 1860

Oscar Parish Clerk

I James P Cole Chief Justice of the County of Galveston in the State of Texas and as such presiding magistrate of the County Court of said County, do certify that Evans Smith is Clerk of said County Court that his signature to the foregoing attestation is genuine and full faith should be given thereto and that the foregoing attestation is in due form -

In testimony whereof I have set my hand and the seal of our said Court this 18th day of December A.D. 1860 -

J. P. Cole
Chief Justice G.C.

- now here proved the Court for cause to enter the appearance of Philip C. Tucker Jr. administrator with the will annexed of the said Henry Sheldon deceased, as defendant in error - On consideration whereof it is now here ordered by the Court that the appearance of the said Philip C. Tucker Jr. administrator with the will annexed of Henry Sheldon, de-

cause be entered as the judgment in error and that the said administrator be and he is hereby barred the defence and in error in this cause.

Henry A. Foote
vs
Cyrus W. Cyrus et al.

The argument of this cause was continued by Mr Shellabarger of counsel for the defendants in error and by Mr Vaughan of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John McLean
James M Wayne
John Catron
Samuel Nelson
Robert C Grier
John A Campbell
Nathan Clifford
William Griggs Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court opened

James Nations and Joseph Nations vs Nancy Ann Johnson & James Johnson. } No 35 } An appeal to the Circuit Court of the United States for the Eastern District of Texas

This cause came on to be heard on the transcript of the record from the District Court of the United States for the

Western District of Texas and was argued by counsel On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Texas. per curiam Clifford -

John A. Quitman vs. Phillip A. Van Norden Hamilton Lockett and Charles Von Rosenberg.	.32	In error to the District Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Texas and was argued by counsel On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said District Court in this cause be and the

same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said District Court with direction to award a venire facias de novo.

per Curiam Campbell

37. Thomas Richardson vs. Jeffries et al. Appeal from the Circuit Court of the United States for the District of Rhode Island

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Curiam Grier

Richard Roe on the demise of Josiah First Nicholas Wise and Eliza both his wife. Jacob Anderson Edmund Ford and Susan his wife Benjamin Wilkins and Harriet his wife and William L. Miller and Ann his wife

vs. Jeffrey.

The Frostburg Coal Co.

In error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Jn. McLean: Nelson

113.	Thomas Hudson et al. vs. Jeffries. Robert Forsyth.	On consideration of the motion made by Mr Williams

on the 11th Instant to dismiss this cause and of the arguments of Counsel thereupon had as well in support thereof as against the same It is now ordered by the Court that the said motion be and the same is hereby overruled.

114.	Charles Williams vs. Jeffries Joseph L. Tarpley.	On consideration of the motion made by the Petitioner on the 11th Instant

to dismiss this Cause and of the arguments of Counsel thereupon had as well in support thereof as against the same. It is now hereby ordered by the Court that the said motion be and the same is hereby overruled.

1871 Monday January 21st 1861 Continued -

Charles Dallas Att'y for petitioner 75 Samuel Hart et al.	On consideration of the motion made by the petitioner in the above cause It is ordered by the Court that the said motion be and the same is hereby overruled.	
Geo. R. Simpson - Lewis H. Taffan use &c. vs Samuel Welsh, John Welsh and Nathan Welsh trading as S. & W. Welsh. 30		Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the

Eastern District of Pennsylvania and argued by Counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that this Cause be and the same is hereby dismissed for the want of jurisdiction

Jn. Mc. Kh. Jus. Supr.

41 Robert Lee
vs. Appeal.
The Tide water Canal Co.

Appeal from the Circuit Court of the United States for the District of Maryland.

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel on consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

Jn. Mc. Kh. Jus. Supr.

The State of Missouri vs Compt The State of Kentucky	On the motion of Mr Merell of Counsel for the Complainant it is ordered by this Court that this cause be and the same is hereby set down for argument on the 10th Monday of January next A.D. 1862.
Henry S. Foote vs Plff in Er. Cyrus H. Gregg	The argument of this Cause was commenced by Mr Hughes of Counsel for the plaintiff in error.
Thomas M. League vs Plff in Er. Cyrus H. Gregg et al.	The argument of this cause was commenced by Mr Hughes of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Hugh B. Sawyer Chief Justice
John McLean
Levi Woodbury
John Catron Assoc.
Samuel Nelson Justices
Robert C. Grier
John A. Campbell
Nathan Clifford

William Selden Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court adjourned

Thomas M Logan	vs	Appellant
48		
Cyrus W. Eggerly et al		

The argument of this cause was continued by the Chief Justice of counsel on the argument in error and concluded by Mr Hughes of counsel for the plaintiff in error.

119	Wm. L. McEwen & al vs. Pitts Simms Exrs of Chas. Buckingham	The argument of this Cause was commenced by Mr Maynard of Counsel for the plaintiff in error and continued by Mr Nelson of Counsel for the defendant in error and by Mr Merrick of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice.
John McLean
James M. Wayne
John Catron, Special
Samuel Nelson, Justices
Robert C. Grier
John A. Campbell
Nathan Clifford.
William Dodge Esqr. Marshal
William Thomas Carroll Esq. Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon S. A. Douglas it is ordered that James H. Coffroth Esqr. of Sacramento State of California be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Wednesday January 23rd 1861 continued.

On motion ordered made to the court in this behalf by Asa McGaw it is ordered that A.G. Haviland Esqr. of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court and he was Sworn accordingly.

119	Wm. S. McEwen et al vs. Jeffersonville Light & Water Co.	The argument of this Cause was continued by Mr. Peckinpaugh of counsel for the plaintiffs in error.
120	David M. Hughes vs. The United States.	It is now here ordered by the court that this cause be and the same is hereby continued to the next term pursuant to the stipulation of the counsel of the respective parties on file.

17	Augustus D. Ebersole vs Joseph Lewis Hoover	Suggestion of the death of Augustus D. Ebersole since the last term of this Court and the appearance of C. C. Eveland administrator of the estate of Augustus D. Ebersole, deceased and also the appearance of Peyton Lytle the next friend of Mahala Hoover her petition is thereupon now here ordered by the Court that C. C. Eveland administrator of the estate Augustus D. Ebersole and Peyton Lytle as prayer, by his next friend Mahala Hoover be and hereby are made the plaintiffs in this cause and that this order be and the same is hereby entered nunc pro tunc as of the first day of the first day of the present term
81	C. H. Mayes Adm.r &c. vs Joseph Robb Christ Eyers	The argument of this cause was commenced by Mr Williams on behalf of the defendant

Proclamation being made the Court stands adjourned until tomorrow morning at eleven o'clock.

Thursday January 24th 1861

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice

John McLean,
James M. Wayne,
John Catron,
Samuel Nelson,
Robert C. Grier,
John A. Campbell
Nathan Clifford.
} Associate Justices -

William Tilden Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Mr. Stevenson it is ordered that C. Morgan Esquire of Lexington State of Kentucky be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr Ry Johnson it is ordered that S. A. Emmons Esquire of Milwaukie State of Wisconsin and Ely Tinkey White Esquire of Baltimore in the State of Maryland be admitted to practice as an Attorneys and Counsellors of this Court and they were severally sworn according to

31	Charles F. Mayer Surviving Trustee. vs Appeal Robert Oliver Exrs.	This cause was argued by Mr. Ry. Johnson of counsel for the appellants and submitted on printed arguments by Mr. Wesley and Mr. J. M. Campbell of counsel for the appellees.
32	The United States. vs. Appeals The Widow & Heirs of Apolinaire Miranda &c.	This cause was argued by Mr. Attorney General Stanton in behalf of the appellants.

52 The United States -
vs. Appeals
Juana Briones de Miranda
widow & Nicasio Miranda
et al children of Apolinario
de Miranda, deceased.

Appeal from the District Court of the United States for the Northern District of California -

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel - On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Per Curiam Ch: Jus: Taney.

53 The United States
vs. Appeals
Samuel J. Hensley

On the motion of Mr Attorney General Stanton of Counsel for the appellants it is now here ordered by the Court that this cause be and the same

is hereby postponed to the present

28 The United States
vs Appeals
Francisco Arrenegui,
Surveyor & Ex officio
Collector of Pilots January dec.

Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr Attorney General Stanton, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Per Curiam Chief Justice Taney

48	The United States vs Appts Jose Jorge and Jose Jose Maria Evora and Josefa Miguna de Limantour Exrs of the last will and testament of Robert Limantour, deceased.	Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and on the motion of Mr. Attorney General Stanton It is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed

per Mr Ch. Jus Taney

34	The United States vs Appts Jose Castro et al.	The argument of this cause was commenced by Mr. Attorney General Stanton of counsel continued by Mr.

for the appellants.

Sworn Counsel for the respective Defendants are severally heard by the Attorney General thereon.

55 Graham Smithson &c. vs. William B Mann. Jeffs in &c. Now here the Court doth Order by the Court that this cause be and the same is hereby continued to the next Term of this Court.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Roger B Taney Chief Justice.
John McLean.
James M. Wayne.
John Catron
Samuel Nelson,
Robert C. Grier.
John A. Campbell
Nathan Clifford.
} Associate Justices.

William Seaton, Esquire, Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

The Peoria & Bureau Valley Railroad Co. of the City of Peoria

vs

Richard Unger

} In error to the Circuit Court of the United States for the Northern District of Illinois

300

Mr Kellogg of counsel for the defendant in error having filed and read in open court the following certificate

to wit:

"Circuit Court of the United States
Northern District of Illinois ss.
Wednesday January 2d 1861.

Present
The Hon: Thomas Drummond, Judge.

Richard Unger
v
Peoria Bureau Valley Rail road Co & City of Peoria. } Trespass

Now comes the plaintiff by his attorney and enters a remittitur of one thousand dollars on the second endorsed hereon on the third day of August last. Whereupon the Court having fully considered and being now fully advised upon the motion of the plaintiff and heretofore made herein to enter up this cause, overrules the same.

It is thereupon considered and adjudged by the Court that the plaintiff have and recover of the defendants the sum of Two thousand dollars being the amount of the verdict heretofore rendered less the remittitur and that

he also have and recover of the defendants his costs by him about his suit in this behalf expended amounting to the sum of one hundred and one dollars and eighty five cents and that he have execution therefor.

Writ of Error
United States of America
Northern District of Illinois.

The United States of America
To the Judges of the Circuit Court of the United States for the Northern District of Illinois. Greeting -

Because in the record and proceedings as also in a rendition of a judgment in a plea which is in the said Court before you between Richard Yager plaintiff and the Peoria and Bureau Valley Railroad Company and the City of Peoria, Defendants a manifest error hath happened to the great damage of the said Peoria and Bureau Valley Railroad Company and the City of Peoria as by their complaint appears and it being fit that the error

if any there hath been should be duly corrected and full and speedy justice done to the parties aforesaid in that behalf:

You are hereby commanded that such judgment be therein given that of right and under your seal distinctly and openly you send the record and proceedings aforesaid with all things concerning the same to the Supreme Court of the United States together with this writ so that you have the same at Washington on the first Monday of December next in the said Supreme Court to be then and there held that the record and proceedings aforesaid being inspected the said Supreme Court may cause further to be done therein to correct that error what of right and according to the law and custom of the United States should be done.

Witness the Hon Roger B. Taney Chief Justice of the Supreme Court of the United States of America at Chicago this

fourth day of January
A.D. 1860, and of our Independence the 84th year.

Wm H. Bradley
Clerk

Endorsed-filed Janu 5th 1860
Wm H. Bradley Clerk.

Appeal Bond.

Know all men by these presents That we the City of Peoria and the Peoria and Bureau Valley Railroad Company, as principals, and John Elting and Henry Farnam as securities are held and firmly bound unto Richard Yates in the penal sum of Six thousand dollars lawful money of the United States to which payment well and truly to be made we bind ourselves our heirs, executors administrators and successors jointly and severally by these presents.

Witness the hands of the Mayor and Clerk of the City of Peoria and the Corporate Seal of the said City hereto affixed, and the hands of the Superintendant duly authorized for that purpose by said

Company and Secretary of the Peoria and Bureau valley Railroad Company and the Corporate Seal of the said last named Company and the hands and seals of the said John C Ming and Henry Farnam severally as aforesaid this Fifth day of January A.D 1861.

The condition of this obligation is such that whereas on the fourth day of January A.D. 1861. the herein named Richard Hugo recovered a judgment in the Circuit Court of the United States for the Northern District of Illinois for the sum of Two thousand dollars and costs of suit against the said City of Peoria and the Peoria and Bureau Valley Railroad Company upon which said Judgment the said defendants have sued out a writ of error to remove said cause and the Record thereof to the Supreme Court of the United States.

Now if the said plaintiffs in error shall prosecute their said suit to effect, and shall answer all the damages and costs if they shall fail to

make their plea good then this obligation to be void, otherwise to force

Ino. D Arnold, Mayor.
Jas. M Cunningham City Clerk
I. Elting
John T. Tracy, Superintendant
Peoria & Bureau Valley R.R.Co.
Washington Cooke Jr. Peoria
& Bureau Valley R.R. Co.
Henry Farnam

Endorsed
Filed Jan'y 12 1861.
Wm H Bradley, Clk

Northern District of Illinois, ss.

I William H. Bradley, Clerk of the Circuit Court of the United States do hereby certify the foregoing to be a true copy of the Judgment Entry, Writ of Error and Appeal Bond in the cause wherein Richard Unger was plaintiff the Peoria and Bureau Valley Railroad Company and the City of Peoria was defendant as the same appears of record in said Court and now on file

thereof.

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at office in the City of Chicago this 11th day of December AD 1860 and of our Independence the 85th year

Wm H Bradley
Clerk"

- and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error now here moved the Court in pursuance of the 4th rule of this Court to have this writ of error docketed and dismissed

On consideration whereof it is now here ordered and adjudged by this Court that this writ of error to the Circuit Court of the United States for the Northern District of Illinois be and the same is hereby docketed and dismissed with costs and that this cause be and the same

is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding

361 Andrew Enoch vs Plff in Error
Eliza L. Berry -

Mr Spencer of counsel for the defendant in error moved the Court to dismiss this appeal and writ of error for the want of jurisdiction because it does not appear from the record or otherwise that the matter in controversy is of the value of two thousand dollars On consideration whereof it is now here ordered by the Court that the above motion be heard on this day two weeks the 8th day of February next, provided, that a copy of this order and the above motion be served on the plaintiff in error or his attorney on or before this day week the 1st day of February next.

203	James E. Tevis et al vs Plaintiffs Bushrod W. Tevis	On the motion of Mr Moore of counsel for the defendant and in court - It

is now here ordered by the court that his motion to dismiss this cause filed this date be and the same is hereby set down for argument on this day four weeks the 22d day of February next pursuant to the stipulation of the counsel of the respective parties filed this date in this cause.

232	Henry T. Buckley Admr &c vs Appt The Manufacturing Steam Cotton Co.	On the motion of Mr. Hardaway of counsel

for the appellees It is now here ordered by the Court that the Clerk do issue a mandate or writ of procedendo in this cause during the present session of the Court

Thomas P. Stanton Jar.
vs
The Fire Department Insurance Company of Cincinnati.

Mr McLean for Hon Ry Johnson having filed and read in open Court a suggestion of a diminution

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of the record in this case in the words and figures following, to wit,

"1st That said record fails to show the day upon which the Court adjourned sine die at the term when the judgment was rendered.

2d That said record also fails to show the day upon which the bill of exceptions herein filed was signed by the Court."

By reason of which omissions and errors aforesaid the said Counsel now here moved the Court to award a writ of Certiorari to be directed to the Judges of the Circuit Court of the United States for the Southern District of Ohio, commanding them that searching the records and proceedings of said Court in this cause they shall certify to this Court under

the seat of the said Circuit Court what-
ever omissions and errors shall be found.
In consideration whereof it is now
here ordered and decreed by this Court
that a writ of certiorari be and the
same is hereby awarded to be issued
forthwith and to be directed to the judge
of the said Circuit Court commanding
them that searching the records and
proceedings aforesaid they forthwith
certify to this Court under the seal
of the said Circuit Court whatever o-
missions and errors shall be found in
this cause & return the same with the
said writ of Certiorari forthwith to
this Court.

Richard Griggs et al
vs
Robert Forsyth

Mr Ballance
Counsel for the plain-
tiff in error submit-
ted this cause to
the Court on the argument made by
him in No 73. of the preceding cause on
this docket in opposition to Mr Wil-
liams' motion to dismiss this cause

On consideration whereof it is now here ordered by the Court that the motion of Mr Williams to dismiss this cause filed on the 5th instant be and the same is hereby overruled.

75	John Lodge &c as pltf in err. vs Robert Forsyth	Mr Ballance of counsel for the plaintiff in error submitted this cause

to the Court on the argument made by him in No 73 on this docket in opposition to Mr Williams' motion to dismiss this cause. On consideration whereof it is now here ordered by the Court that the motion of Mr Williams to dismiss this cause filed on the 5th instant be and the same is hereby overruled.

76	Charles Ballance vs Appt Robert Forsyth &al.	Mr Ballance of counsel for the appellant submitted this cause

to the Court on the argument made by him in No 73 on this docket in opposition to Mr Williams'

motion to dismiss this cause - On consideration whereof it is now here ordered by the Court that the motion of the Williams to dismiss this cause filed on the 5th ultimo be and the same is hereby overruled.

80 John Reynolds &c vs Plff's in Err
Robert Forsyth -
Mr Ballance of Counsel for the plaintiffs in error submitted this cause to the Court on the argument made by him in No 93 on this docket in opposition to Mr Williams' motion to dismiss this cause. On consideration whereof it is now here ordered by the Court that the motion of Mr Williams to dismiss this cause filed on the 3d instant be and the same is hereby overruled.

135 Richard Grigg vs Plff's in Err
Edward P. Tesson
Mr Ballance of counsel for the plaintiffs in error submitted this cause to the Court on the argument made by him in No 93

on this docket in opposition to Mr Williams' motion to dismiss this cause - On consideration whereof it is now here ordered by the Court that the motion of Mr Williams to dismiss this cause filed on the 5th instant be and the same is hereby overruled.

136	Richard Gregg &c. plaintiff in error vs. Wm P. Bryant	Mr Ballance of counsel for the plaintiff in error submitted this cause to the Court on the argument made by him in No 73. on this docket in opposition to Mr Williams' motion to dismiss this cause: On consideration whereof it is now here ordered by the Court that the motion of Mr Williams to dismiss this cause filed on the 5th instant be and the same is hereby overruled.

56 John Graysal vs Plffs in Err
S. M. Mayesdal

The argument of the cause was commenced by Mr Blair & closed for the plaintiffs in error, continued by Mr Stanton of counsel for the defendants in error and closed by Mr Blair of counsel for the plaintiffs in error

57 James S. Hatton Trustees of Benton County vs. Plffs in Err.
John Thompson.

Answer to the Circuit Court of the United States for the District of Indiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and the plaintiff in error having been three times solemnly called to the marshal to come into court and prosecute his writ of error and failing so to do it is thereupon now here, on the motion of Mr Hendricks of counsel for the defendant in error, ordered and adjudged by this Court

that this cause be and the same is hereby dismissed with costs.

Pr. Inc. Ch. Jus. Taney.

John C. Edmunds
vs. Appl
Jonathan H Mann.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Ives for the appellant and by Mr Williams for the appellee.

Franklin Moore pet.
vs. Appl in er.
The Louisville Transportation Co.

The argument of this cause was commenced by Mr. Meiker of counsel for the plaintiff in error and continued by Mr Hibbard of counsel for the defendant in error.

Whereupon being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Hugh J. Jewett Presiding Judge

John McLean,
James McKaye,
John Cabeen, Special
Samuel Nelson, Justices
Robert C. Grier
John A. Campbell
Nathan Clifford

William Seaton, Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Jno Pugh it is ordered that George M. Lee Esquire of Cincinnati State of Ohio be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The Washington Ins. Co. vs. Washington Ins. Co. of Georgetown. Patent Locket Company. vs. Jeffries. Hamlin & Sickles and Thurman Cook.

Appeal to the Circuit Court of the United States for the District of Columbia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

Jn. Mc. Kel. Campbell -

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The Washington Alexandria & Georgetown Steam Packet Company
vs
Frederick & Stables & Truman Cook.

In error to the Circuit Court of the United States for the District of Columbia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by counsel on consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

Jr Mr Justice Campbell

116	William Thompson & John Pickell vs Lewis Roberts, Gideon H. Burbank & Madison Roberts	In error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Maryland.

per Mr Justice Grier.

10	William H. Phillips vs George Page.	In error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Curiam Nelson

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Susan Vigel -
vs. Plff in Er
Henry Naylor, admr
of Geo. Naylor, deceased.

In error to the Circuit Court of the United States for the District of Columbia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by counsel On consideration whereof it is now here ordered and adjudged

by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Opr. Mr. Jus: Catron.

William A. Hall
vs
Joseph L. Papin

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

pr. Mr. Jus: Wayne.

Monday January 28th 1861 Continued

23

John C. King &c
vs
Griffin &c

The People of the State of California

Appeal to the Court of Sessions of the City and County of San Francisco in the State of California

This cause came on to be heard on the transcript of the record from the Court of Sessions of the City and County of San Francisco in the State of California and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Sessions in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Court of Sessions that such further proceedings may be had therein as to law and justice shall appertain.

per Mr. Ch. Just. Terry.

59	Franklin Moore et al vs. pltff in er The American Transportation Co.	The argument of this cause was continued by Mr. Hibbard of counsel for the defendant in error and concluded by Mr Baker of counsel for the plaintiff in error.
61	Chas McMicken Perin et al vs. Appts Truman S. Carey et al.	The argument of this cause was commenced by Mr Redington of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
" " John McLean,
" " James M Wayne
" " John Catron, Associate
" " Samuel Nelson Justices.
" " Robert C Grier,
" " John A Campbell
" " Nathan Clifford

William Silver, Esquire, Marshal,
William Thomas Carroll Clerk.

Proclamation being made the Court adjourned

61 Chas McMicken Plaintiff &c vs Aspelle & Truman G Carey & al Defendants

On argument of this cause was continued by Mr Hand ington of counsel for

Counsel for the appellants and by Mr Taylor of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday January 30th 1861

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
" " John M.c Lean
" " James M. Wayne,
" " John Catron, Associate
" " Samuel Nelson, Justices.
" " Robert C. Grier.
" " John A Campbell
" " Nathan Clifford

William Seldon Esquire Marshall
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Chas. M.c Micken Plaintiff
vs Appts
Furman & Carey et al.

The argument of this cause was continued by Mr. Pugh of counsel for the appellees, and concluded by Mr. Ewing of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
John McLean,
James M. Wayne,
John Catron, } Associate
Samuel Nelson, } Justices.
Robert C. Grier,
John A. Campbell
Nathan Clifford

William Thomas Carroll, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court opens.

George F. Jeffries for
use of plaintiffs
62 The City of Jeffersonville. } The argument of this cause was commenced by Mr Hoyt of counsel for the plaintiffs in error, continued by Mr Ky Johnson of counsel for the defendant in error and concluded by Mr Hoyt for the plaintiffs in error

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63	John M Buckler is Appt John K. Kendall	The argument of this Cause was commenced by Mr Chilton of counsel for the appellant and continued by Mr Coombs of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday February 1st 1861. 12 o'm.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
" " John McLean
" " James M Wayne
" " John Catron, Associate
" " Samuel Nelson, Justices
" " Robert C Grier,
" " John A Campbell,
" " Nathan Clifford
William Tilden, Esquire Marshal
William Thomas Barrett Clerk.

Proclamation being made the Court opened

On motion first made to the Court in this behalf by Mr Attorney General Black it is ordered that Stephen H. Phillips Esquire of Salem State of Massachusetts be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The Commonwealth of Massachusetts
vs. Comp[t]
The State of Rhode Island
& Providence Plantations.

This day came the Commonwealth of Massachusetts by her counsel the Honorable John A. Griffin and the Honorable Stephen H. Phillips and moved the Court for leave to file a supplemental Bill herein and for an Interlocutory Order as hereinafter set forth, and the Defendant the State of Rhode Island and Providence Plantations appeared by her counsel Charles S. Bradley Esq. and Thomas A. Jenks Esq. and consented to the filing of said Bill and moved for leave to file an answer thereto.

And the Honorable Edwin M. Stanton Attorney General of the United States appeared on behalf of the United States and moved for leave to intervene in this case on behalf of the United States pursuant to an act of Congress passed the 9th of February 1859 and to file his answer to the interlocutory order hereinafter mentioned.

And the said motion being heard

and understood by the Court It is ordered that the Complainant have leave to file the said supplemental Bill. That the defendant the State of Rhode Island and Providence Plantations have leave to file its answer thereto:- That the Attorney General of the United States have leave to intervene on behalf of the United States pursuant to the act of Congress; and that the intervening order now exhibited by the Complainant and assented to by the Counsel of the defendant and the Attorney General of the United States be entered as the order of this Court in the premises which said intervening order is as follows:

This cause came on to be heard upon the original and supplemental bills and answers filed by the complainant and the respondent respectively and upon the intervention and petition of the United States by their Attorney General therein, and thereupon by consent of all the parties thereto, it is ordered

by the Court as follows, to wit:

Ezra Lincoln of Boston and Samuel B. Ewing of Providence the engineers heretofore appointed in this cause are directed to survey, mark out and define by suitable bounds and to describe by plat and otherwise as they may think proper, the line set out and described in said supplemental Bill and the answer thereto and in the exhibits filed therewith and to file their report in the Clerks office on or before the first day of August A.D. 1861.

And it is further ordered that upon the filing of said report the Clerk of this Court shall give notice thereof, and of this order by publication for six consecutive weeks in the following newspapers to wit the Boston Daily Advertiser the Pawtucket Gazette and Chronicle the Providence Journal, the Providence Post, and the Pawtucket Visitor in order that all municipalities, corporations and persons having interests to be affected by a final decree, may have an opportunity to apply for leave to inter-

ment and to file exceptions to same, in part, and objections if any they have to a final decree of this Court in accordance with the rule heretofore entered in this cause, said exceptions, exhibitions, exceptions and objections to be filed in the office of the Clerk of this Court on or before the Second Monday of October, A.D. 1861.

And further that the appeal shall stand Continued until the next term of this Court.

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66 Myra Clark Gaines. vs. Appl. Duncan N Hennen

Mr Cushing of counsel for the appellant moved the Court to extend the time for argument in this case to three hours to each of the counsel on each side for consideration whereof it is now hereordered by the Court that three hours be allowed to our counsel for the appellant and our counsel for the appellee in the argument of this cause.

281	Judicial Union vs Pitman Eliza L. Craig	On the motion of Mr. Fuse for Mr. Chaney of counsel for the plaintiff in error, it is now hereby ordered by the Court that the value of the property in dispute in this cause be ascertained by affidavits to be taken on ten days notice to the defendant in error or his counsel, and that the order passed by this Court on the 25th of January last be extended to Friday the 15th of February instant. The affidavits to be taken before a judge or magistrate as may be agreed upon by the parties.
63	John M. Faukler vs Appt John M. Ford	The argument of this cause was continued by Mr. Ewing of counsel for the appellee and concluded by Mr. Gantt of counsel for the appellant.

65 John F. Marsigny vs. Jeffries & Major J. Thomas &c. The arguments of this Cause was commenced by Mr Conville & Counsel for the plaintiffs in error.

Proclamation being made the Court did journ until Monday morning at eleven o'clock.

Monday February 4th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

A. Nemmitt Virgil D. Terry Chief Justice
" " John McLean,
" " James M. Wayne,
" " John Catron, Associate
" " Samuel Nelson, Justices.
" " Robert C. Grier,
" " John A. Campbell,
" " Nathan Clifford.

William Selden Esquire Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Thomas M. League
vs
Elijah Q. Ogburn, Joseph Smith and Sarah A. Smith, admrs &c

Error to the District Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for

the Eastern District of Texas and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Campbell

47 Henry S. Foote as Governor of Texas vs Joseph H. Smith

Appeal from the District Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Texas and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this Court that this cause be and the same is hereby affirmed with costs.

per Mr. Just. Campbell

79. Henry M. Kellogg et al vs. Jeffries. Robert Forsyth. On consideration of the motion made by Mr. Williams of counsel for the defendant in error on the 4th of December last to dismiss this case and of the arguments of counsel thereupon had as well in support of as against the same - it is now here ordered by this Court that the said motion be and the same is hereby overruled.

Jr. Mr. Justice Campbell.

51 Charles F. Mayer Surviving permanent Trustee of John Gooding - Appt. vs William Pinkney White, admr de bonis non of John Gooding decd & Robert M. Gibbs and Charles Oliver Surviving Exors of Robert Oliver, deceased. Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the

Circuit Court of the United States for the District of Maryland and was argued by Counsel - On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

Per Mr. Justice Nelson

The United States
vs. Appeal
Jose Castro & al
Douglass & McKinstry

Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and was argued by Counsel - On consideration whereof it is now here ordered, adjudged

ed and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the petition of the claimants.

Jn. Mc. Ch. Jus. Taney.

The Philadelphia Wilmington & Baltimore Railroad Company vs. Philip Quigley.

73

In error to the Circuit Court of the United States for the District of Maryland

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This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and on the motion of Mr. Randolph of counsel for the plaintiffs in error, and with the assent of Mr. Key Johnson and Mr. Davis of counsel for the defendant in error, It is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs. Jn Mc. Ch. Jus. Taney

65	John J. Martin &c vs. Jeffries. Major J. Thomas admr &c	The argument of this cause was continued by Wm. Ky Johnston of counsel for the defendant in error and concluded by the Evening of counsel for the plaintiff in error
67	The Rochester Steamboat Coy. vs. Jeffries & The Aspinwall & K. R. Coy.	The argument of this cause was commenced by the Attorney of counsel for the plaintiff in error and continued by Mr. C. Robinson of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday February 3d 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney Chief Justice.
John McLean
James M. Wayne
John Catron, Associate
Samuel Nelson, Justices.
Robert C. Grier,
John A Campbell,
Nathan Clifford.

William Selden, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Ashley it is ordered that James Malcolm, Esquire of Baltimore State of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly -

66 Myra Clark Gaines vs. Appl't
Duncan N. Hennen.

On the motion of Mr. Taylor in behalf of Mr. Janin of Counsel for the City of New Orleans as a party appellee in this cause and with the assent of Mr. Cushing of Counsel for the respondent it is now here ordered by the Court that this cause be and the same is hereby set down for argument on this day week the 12th instant: and it is further ordered that the brief of Mr Janin be filed in this Court on or before Friday next the 8th instant.

67 The Dorchatan Steamboat Co vs. Appellees.
The Appalachee R.R. Co

The argument of this cause was continued by Mr. Robinson of Counsel for the defendant in error and concluded by Mr Ashley of Counsel for the plaintiff in error.

Tuesday, February 5th 1861. Continued -

68 Lefee of Robt. H. Smith &c. vs. plffs in er. William McCann

In consequence of the indisposition of Mr Campbell of counsel for the defendant in error, and with the assent of Mr Davis of counsel for the plaintiff in error, it is now here ordered by the Court that the argument of this cause be postponed until Monday next the 11th instant.

69 Joseph H. Dillingal vs. plffs in er. Aaron L. Fenton.

The argument of this cause was commenced by Mr Coolidge of counsel for the plaintiff in error continued by Mr Lynde of counsel for the defendant in error, and concluded by Mr Coolidge for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean,
John Catron,
Samuel Nelson Associate
Robert C Grier Justices
John A Campbell
Nathan Clifford

William Selden, Esquire Marshal,
William Thomas Carroll, Clerk.

60 William Wiggins, et al vs. Comptrs John B. Gray et al. This cause was submitted to the consideration of the Court by Mr King and on the record and printed arguments of Mr Colcock & Mr Bayard of counsel for the complainants and argued by Mr Cushing and by Mr R J Walker of counsel for the defendants.

70.	The Union Steamship Co. of Philadelphia Limited vs. The New York & Virginia Steamship Company.	This cause was argued by Mr Watson of counsel for the appellants.
70	The Union Steamship Co. of Philadelphia Limited vs. The New York & Virginia Steamship Company.	On the motion of the Same of counsel for the appellants it was ordered by the Court that they have leave to file a printed argument in this cause on or before Monday next the 11th instant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday, February 7th 1861. 10 o'c

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Roger B. Taney Chief Justice
John McLean,
John Catron,
Samuel Nelson, Associate
Robert C. Grier, Justices
John A. Campbell
Nathan Clifford
William Cranch, Esquire Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

No. Cleveland Insurance Co. vs. Appeals from
George Rice et al. the Circuit Court
for the District of Columbia

The argument of this cause was commenced by Mr. Coxe of counsel for the appellants and continued by Mr. Merrick for the appellants

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

12033

Friday February 8th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Chief Justice Roger B. Taney

James M Wayne
John Catron,
Samuel Nelson,
Robert C. Grier,
John A. Campbell
Nathan Clifford
Associate Justices

William Thomas Carroll, Clerk,

Proclamation being made the Court is opened.

307

Nich Chamberlain
vs. Appeal
Newcomb Cleveland.

Mr Cannon of counsel for the appellant now this moved the Court with the assent of counsel for stipulation on file to substitute this case for hearing whereupon the Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider.

81 Charles G. Taylor & Henry A. Taylor vs. Marcus Morton last action. & business & counsel for the plaintiffs in error

having filed and now in open court a suggestion of a diminution of the record in this case in the words and figures following, to wit:

"That the instructions of the Court below have not been returned by the Clerk thereof with the record of the same."

By reason of which omission and aforesaid the said counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United States for the District of Massachusetts, commanding them that touching the records and proceedings of said Court in this cause they shall certify to this Court under the seal of the said Circuit Court instructions and errors shall be found

On consideration whereof it is now here ordered and decreed by this Court that a writ of certiorari be and the same

is hereby awarded to be issued forthwith and to be directed to the Judges of the said Circuit Court, directing them that forthwith the records and proceedings aforesaid they forthwith do send to this Court under the seal of the said Circuit Court whatever matters and things shall be found in this cause and also the same with the said writ of error forthwith to this Court.

Jn. Mr. Ch. Jus. Taney

83 Geo. W. Campbell et al. vs. Jas. Swan et al. and Andw. J. Dallas et al.

This cause was submitted to the consideration of the Court on the record and printed argument of Mr. Dickerson of counsel for the plaintiffs in error.

Ex parte: In the matter of the Commonwealth of Kentucky — Rel.

vs.

Wm Dennison, Governor of the State of Ohio.

On the motion of the Commonwealth in behalf of the Relator A. Attorney General of Ohio it is now here ordered by the Court that this cause be set down for argument on this day week the 15th instant.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday February 11th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M Kayne
John Catron, Associate
Samuel Nelson, Justices.
Robert C. Grier,
John A. Campbell,
Nathan Clifford.

William Selden, Esquire, Marshal,
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Hon S. F. Hunton, it is ordered that W. T. Barnes Esquire of Cleveland and Reuben Allenbrook Esquire of Fairmont Va. State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were severally sworn accordingly.

On motion first made to the Court in this behalf by Lion Lyman Esquire it is ordered that D. C. Cook Esquire of Ottawa, John M Talbot Esquire of Lasalle ville, and Lin Davis Esquire of Alton State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly -

George P Bissell, David T Robinson & Calvin Day in pltffs in Error
vs.
The City of Logansport

Error to the Circuit Court of the United States for the District of Indiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the

same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr Justice Clifford

56 John Grier & al
vs. pltffs in er
J. H. Mezes Maria de la Soledad Vilage de Arguello & Jose Ramon Argueello

In error to the Circuit Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the northern District of California and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Grier

	George H. Kyle, Samuel Lee Kyle and Samuel A. S. Kyle.	An appeal to the Circuit Court of the United States for the District of Maryland.
205	vs. Jefferson.	
	John Mason, Executor of John L. Kerr, dec'd	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Maryland

By a divided Court.

	Silas Chamberlain	On consideration of the motion made by the Counsel on a prior day of this
207	vs. Appeal	
	Newcombe Cleveland.	

term to wit: on Friday the 8th instant, to substitute this cause for hearing, it is now here ordered by the Court that said motion be and the same is hereby overruled.

Jacob E. Curtis
vs
Jeff.
The County of Butler.

841

On consideration of the motion made in this cause by Mr. Black of Counsel for the defendant on a prior day of this term, to wit, on Thursday the 7th instant and of the arguments of Counsel thereupon had, it is now here ordered by the Court that said motion be and the same is hereby overruled.

Thomas P. Stanton & William J. Frost partners as Stanton and Frost
vs. Appeal from
The Fulton Insurance Co. of Cincinnati.

852

In error to the District Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the

Circuit Court of the United States for the Southern District of Ohio and it appearing from the acknowledgment of satisfaction on file that the matters in controversy have been settled It is therefore now here ordered and adjudged by this Court that this Cause be and the same is hereby dismissed with costs.

per Curiam Swayne

The United States vs. Jefferson José Noriega &al. On the motion of the Attorney General Stanton of counsel for the appellants it is now here ordered by the Court that the writ may issue the mandate in this cause during the present term of this Court

184

James G. Souland &al vs. Jeffersonian Thomas Allen On the motion of Mr Peck of counsel for the defendant in error with the assent of Mr Gamble of counsel for the plaintiffs in error it is now here ordered by the Court that this

86

cause to be and the same is hereby continued to the next term of this Court.

57 James H. Ireland
vs. for &c.
Lewis Clark.

On the motion of Mr. Polk of counsel for the defendant in error, with the consent of Mr. Gamble of counsel for the plaintiff in error, it is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

58 Exr of R. H. Smith &c
vs. &c.
William McClean.

The argument of this cause was commenced by Francis L. Smith of counsel for the plaintiff in error, and continued by the indulgence of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday. February 12th 1861. 12 oclk.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Rogers Sawyer Chief Justice
" John McLean,
" James M Haight
" Samuel Nelson, Associate
" Robert H Gray Justices
" John A Campbell,
" Nathan Clifford
William Nelson, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court by the Marshal by his attorney General Stanbery it is ordered that Wm Howard, Esquire of Batavia and Wm Allen Esquire of Evansville, State of Ohio be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly.

Thursday, February 12th 1861 Continued.

On motion first made to the Court in this behalf by Hon Austin Wolf it is ordered that John C. Carter Esquire of Saint Louis State of Missouri be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Lessee of W. H. Smith &c. vs Plaintiff in Error. William McCann. Defendant in Error.

The argument of this cause was continued by Hon S. M. Campbell Counsel for the defendant in error and concluded by Mr. Minor Davis of Counsel for the plaintiff in error.

Deliberation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean,
James M. Wayne,
John Catron, } Associate
Samuel Nelson, } Justices.
Robert C. Grier,
John A. Campbell,
Nathan Clifford

William Seaton Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court adjourned

On motion just made to the Court in this behalf by the Attorney General, it is ordered that Eldridge T. Gerry, Esquire of New York, Counsellor of New York be admitted to practice as an Attorney and Counsellor of this Court and it was accordingly

On motion first made to the Court in this behalf by Mr Woodbury it is ordered that Levi Underwood Esquire of Burlington State of Vermont, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr A. Williams it is ordered that Thomas J. Turner Esquire of Freeport State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

149 William A. McEwen & Henry H. Riley vs. pltffs in er. John Penn Legee of Charles Dudley & Stuart Brown.

In error to the Circuit Court of the United States for the Eastern District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the

Eastern District of Tennessee was
argued by Counsel - On consideration
whereof it is now here ordered and ad-
judged by this Court that the judgment
of the said Circuit Court in this cause
be and the same is hereby reversed with
costs, and that this cause be and the
same is hereby remanded to the said
Circuit Court with instructions to award
a venire facias de novo

Jno Mc Kinley Catron

66 | Myra Clark Gaines vs. Jeffrey Duncan N. Hennen. | The argument of this cause was commenced by the Pleas of Counsel

for the appellant,

(Mr. Jus: Campbell, having been of counsel for the appellant did not sit in this cause.)

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Thursday February 11th 1841

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M Wayne
John Catron, Associate
Samuel Nelson, Justices
Robert C. Grier,
John A Campbell
Nathan Clifford.

William Selden Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Mr Bates, it is ordered that Nathan C. Ross, Esquire, of the State of Indiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

66 Myra Clark Gaines vs. Apsph Duncan N Hennen

The argument of this cause was continued by Mr Janvier of counsel for the City of New Orleans, concluded by Mr Cushing of Counsel for the appellant, and submitted on a printed argument by Mr Hennen the appellee.

(Mr. Jus: Campbell having been of counsel for the Appellant did not sit in this cause.)

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday, February 15th 1861.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
Samuel Nelson, } Associate
Robert C. Grier, } Justices.
John A. Campbell
Nathan Clifford

William Selden, Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Mr Stevenson, it is ordered that Hon Lansing Stout of Portland, State of Oregon be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court by Hon Mr Ely, it is ordered that Hamilton Ward Esquire of Belmont, State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Hon C. Cushing it is ordered that Benjamin F. Newcomb Esquire of Vicksburg, State of Mississippi be admitted to practice as an Attorney and counsellor of this Court and he was sworn accordingly

34

The Washington Alexandria & Georgetown Steam Packet Co. vs. Plaintiffs in Error
Frederick Sickles et al

and

The Washington, Alexandria & Georgetown Steam Packet Co. vs. Plaintiffs in Error
Frederick Sickles et al.

On motion of Mr Bradley of Counsel for the defendant in error, it is now here ordered by the Court that the Clerk may issue the mandates or writs of procedendo in these cases

at any time during the session of the Court.

Susan Boyd pltff
vs.
43 Tony Naylor adm. of Geo: Naylor dec'd. } On motion of Mr. Bradley of counsel for the pltff in error it is now here ordered by the Court that the Clerk may issue the mandate or writ of procedendo in this case at any time during the session of the Court.

Ex parte In the matter of the Commonwealth of Kentucky to.
vs. Petition
Wm McCammon Governor of the State of Ohio } On the motion of Mr Hoover of counsel for the State of Ohio it is now here ordered by the Court that this cause be set down for argument on Monday next the 18th instant and that the time be extended to three hours to each counsel.

Thomas Meehan &c. The argument of
pltffs in er. this cause was com-
73 menced by the Bar
Robert Forsyth — ——— last day of Decem
for the plaintiff in error and continued
by the Attorney of Counsel for the de-
fendant in error.

Proclamation being made the Court is adjourned
until Monday morning ten o'clock.

12453

Monday February 18th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne,
John Catron . Associate
Samuel Nelson, Justices.
Robert C. Grier,
John A. Campbell
Nathan Clifford

William Selden, Esquire Marshal,
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Robert J. Walker it is ordered that Edward Norton and Frederick Billings, Esquires of San Francisco, State of California be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

67

The Richmond Steamboat Co. &c. vs. Supervisors &c. of Jefferson

In error to the Circuit Court of the United States for the

Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Mr. Justice Clifford

delivered the opinion of the Court.

Mr Jus. Grier dissenting.

110.	Charles Baker et al vs. pltffs in err. John L. Campbell et al.	In error to the Supreme Court of the State of Louisiana, holding sessions for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana holding sessions for the Eastern District of Louisiana and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Campbell.

58.	John L. Clements vs. Appt Jonathan K. Warner.	Appeal from the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois and was

argued by counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill with costs.

per Mr Justice Campbell

Joseph H Adler, Lewis Skiff, Solomon Adler & Robert Windshoff vs. pltffs in e by Aaron D. Foster, Oliver H. Lee, William H Davis & Merrit J. Cole

In error to the District Court of the United States for the District of Wisconsin

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin, and was argued by counsel - On consideration whereof it is now here ordered and adjudged

by this court that the judgment of the said District Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to the opinion of this court

per Mr Jus. Campbell

John M. Tuckle, Apt't

13 vs.

John N. Ford, Richard M. Bishop, William A. Dunton, John S. Jones, Jerem'h T. Boyle, William N. Little, John L. Talbot and James K. Barnes.

Appeal from the Supreme Court of the Territory of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Kansas and was argued by counsel. On consideration whereof it is the opinion of this court that there is error in the decree of the said Supreme Court in affirming

the decree of the District Court in the
cause so far as it ordered a conveyance
of the undivided moiety of the one hun-
dred and forty acres of land therein de-
scribed - It is therefore now here or-
dered adjudged and decreed by this
Court that so much of said decree be
and the same is hereby reversed and
annulled - And it is further ordered
adjudged and decreed by this Court
that the said decree in all other respects
be and the same is hereby affirmed
with costs, and that this cause be
and the same is hereby remanded to
the Supreme Court of the State of Kansas
in order that further proceedings may
be had therein in conformity to the
opinion of this Court

per Mr. Justice Grier -

Franklin Moore, Geo. Foote & Geo. F. Bagley
vs
The American Transportation Co.

In error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the State of Michigan.

per Mr. Justice Nelson

Mr. Justice Catron dissenting -

71

The Cleveland Insurance Co vs Appeal from the Supreme Court of the United States for the District of Wisconsin.
George Reed, Julius A. Reed, James H. Royce and the Milwaukee & Mississippi Railroad Co.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin and was argued by Counsel On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs.

per Mr. Jus: Catron.

John T. Martin, John Reefe & Andrew Tousfit
vs pltffs in er
William H Thomas & Robert A. Baker, admrs of major J. Thomas, dec'd Marsh: United States &c, use of George T. Rogers.

In error to the District Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said District Court for such further proceedings to be had therein as to law and justice shall appertain.

Jn. Mr Jus McLean

William Higgins, James M. Jones & John B. Weller — Compts
vs.
60 John B. Gray & Knowles Taylor

An application of division of opinion between the Judges of the Circuit Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and on the point or question on which the Judges of the said Circuit Court were opposed in opinion and which was certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel; and it appearing to this Court that no point in the case within the meaning of the Act of Congress has been certified to this Court: it is therefore now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed and that this cause be

and the same is hereby remanded to the said Circuit Court.

pr Mr Ch. Jus. Taney

73. Thomas Meehan pl'ff in error
vs
Robert Forsyth

The argument of this cause was concluded by Mr Ballance of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier
John A. Campbell
Nathan Clifford
William Scarlett Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court opened

Ex parte: In the matter of the Commonwealth of Kentucky.
vs Petitioner.
William Dennison, Governor of the State of Ohio.

The argument of this motion in this case was commenced by the Attorney General of Kentucky.

Mr Jones

in favor of said motion and continued

Tuesday February 19th 1861. Continued -

In Mr Wolcott, Attorney General of the State of Ohio, in opposition thereto -

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Lewis D. Sharp Chief Justice
John McLean
James M Wayne
John Catron
Samuel Nelson
Robert C. Grier
John A. Campbell
Nathan Clifford
Associate Justices.

William Thomas Carroll Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court opened

Ex parte: In the matter of the Commonwealth of Kentucky -
vs. Petitioner
Wm Carneiss Governor of the State of Ohio

The consideration of this motion was continued by the Attorney General of Ohio in opposition

and concluded by Mr M. Marshal of counsel for the State of Kentucky in support

Wednesday, February 20th 1861. Continued-

of the motion.

74	Richard Gregg Jar vs pltffs in er Robert Forsyth. and John Dodge Jar vs pltffs in er Robert Forsyth	The argument of this cause was commenced by Mr Ballance of counsel for the plaintiffs in error.

Whereupon, motion being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice.
John M Lean
James M Wayne
John Catron, Associate
Samuel Nelson Justices
Robert C Grier
John A Campbell
Nathan Clifford
William Selden Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

744 Richard Gregg &c vs Plffs in Error
Robert Forsyth
and -
John Pudge &c vs Plffs in Error
Robert Forsyth

The argument of these causes commenced by the Attorneys of Counsel for the defendant in error and concluded by the Attorneys of Counsel for the plaintiffs in error.

97	George W. Gayfat vs. Plff's in Er Wm. A Washburn fat	This cause was further submitted to the consideration of the Court on the printed argument of Myers McDonald and Porter of counsel for the defendant in error
98	Charles Ballance vs Defts Robert Forsyth fat	This cause was argued by Mr Ballance the appellant, and by Mr Williams of Counsel for the appellees.
99	Charles Ballance vs Plff in Er. Joseph L. Pepin fat	
100	Charles Ballance vs Plff in Er Thomas Hart fat.	
101	Henry M. Kelly fat vs Plff's in Er. Robert Forsyth and -	It is now here ordered by the Court that these cases be and they are hereby continued

80 John Reynolds & ux pltffs in Er. vs. Robert Forsyth. — to the next term of this Court

Charles Dana Henry & A. Taylor - pltffs in Er. vs. Marcus Morton late Govr. — On the motion of the Counsel for the plaintiffs in error and with the assent of the Attorney General Hamlin of Counsel for the defendant in error, it is now here ordered by the Court that this cause be and the same is hereby continued to the next term.

Proclamation being made the Court is adjourned until tomorrow morning at nine o'clock.

Monday, February 25th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney Chief Justice
John McLean.
James M. Wayne.
John Catron.
Samuel Nelson,
Robert C. Grier.
John A. Campbell
Nathan Clifford.
Associate Justices.

William Tilden Carpenter, Marshal,
William Thomas Carroll, Clerk,

Proclamation being made the Court is opened.

Mr. Chief Justice Taney announced to the Bar that the Court will adjourn to Thursday the 14th of March, and that no argument will be heard after Friday the 5th proximo

On motion first made to the Court in this behalf by Hon. Mr Cushing it is ordered that Thos Charles R. Train of Birmingham State of Massachusetts be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

70. The Union Steamship Co. of Philadelphia, Owners of the Steamship Pennsylvania, her tackle, appareal &c. Appts vs. The New York & Virginia Steamship Company— } Appeal from the Circuit Court of the United States for the Eastern District of Virginia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby

affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Virginia.

Jor. Mr. Jus Clifford

Charles McMicken Perin, Cyrus Perin and Mary E. Perin, infants, by their father & next friend Franklin Perin, Complts

vs. Appellts

Truman A. Carey, Wm. Greenman, Wm. M. Stinson, The City of Cincinnati, Elizabeth Kendall, David P. Mills & his wife Elizabeth Mills, and Andrew McMicken.

Appeal from the Circuit Court of the United States for the Southern District of Ohio.

61

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by counsel, On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed

with costs

Per Mr Jus. Wayne

213. James M. Portugal vs. Plffs in er. / Bushrod W. Foley

The motion to dismiss this cause for the want of jurisdiction was argued by Mr Moore in support of the same and submitted by Mr Meadinglow on a printed argument in opposition thereto.

154 Arnold Matthewgal vs. Plffs in er. / The State of Ohio.

The motion to dismiss this cause for the want of jurisdiction was argued by Mr E. M. Stanton in support of the same and submitted by Mr Pugh on a printed argument in opposition to the motion

82	James Knight jun vs pltff Augustus Schell	On the motion of Mr Attorney General Stanton, it is now here ordered by the Court that this cause be argued with Nos 1 and 21.
83.	John S. Wheeler vs pltff in er Andrew J Nesbit jun.	This cause was argued by Mr Phillips of Counsel for the defendant in error and submitted on a printed argument by Mr Underwood of Counsel for the plaintiff in error.
84	Jacob C Curtis vs pltff. The County of Butler.	The argument of this cause was commenced by Wm & M. Stanton of Counsel for the plaintiff & continued by Mr J. S. Black of Counsel for the defendant.

Proclamation being made the Court is adjourned until tomorrow morning at ten o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney Chief Justice

John McLean,
James M. Wayne,
John Catron, } Associate
Samuel Nelson, } Justices
Robert C. Grier,
John A. Campbell,
Nathan Clifford

William Mclain, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. attorney General Stanton it is ordered that Richard McIlvaine, Esquire, of Cincinnati State of Ohio be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Tuesday, February 26th 1861, Continued -

On motion first made to the Court in this behalf by Hon. Lyman Trumbull it is ordered that W. H. L. Wallace Esquire of Ottawa State of Illinois be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon S. H. Linton it is ordered that B. F. Kennan Esquire of Washington Territory be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

148 Jesse Hoyt, pltff in Er. vs. Abrm G. Thompson's Exr &c. def'ts in Er.

Mr. Reynolds in behalf of the Counsel in this cause having filed a Stipulation of said Counsel suggesting the death of Henry Sheldon Executor of Abraham G. Thompson, deceased, one of the defendants in error in this cause and the appearance of Edward J. Thompson, administrator with the

writ annexed of said Abraham G. Thompson, deceased, moved the Court for an order substituting the said administrator, and making him a co-defendant in error in the place of said Henry Sheldon deceased.
On consideration whereof it is now here ordered by the Court that the appearance of the said Edward G. Thompson administrator with the writ annexed of Abraham G. Thompson, dec'd as aforesaid be and he is hereby entered as defendant in error and that he be and is hereby entered as defendant in this cause with the right to assert this writ of error.

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844 Jacob C. Curtis pltff
vs
The County of Butler

The argument of this cause was continued by Mr Black of Counsel for the defendant and concluded by Mr. Stanton of Counsel for the plaintiff.

Tuesday February 26th 1861, Continued -

85 Benjamin T. Phelps &al. vs. plffs in er Lycurgus Edgerton &al. — This cause was submitted to the consideration of the Court on the record and printed arguments of Mr. Dickey of Counsel for the plaintiffs in error, and by Mr. Cook of Counsel for the defendants in error.

88 Thacker B. Howard vs. plff in er Francis Bugbee. — This cause was argued by Mr. Phillips of Counsel for the plaintiff in error, and submitted on printed argument by Mr. Clay of Counsel for the defendant in error.

(Mr Jus. Campbell did not sit in this case)

89 Joseph A. Sherburne vs. plff in er. Jacob de Cordova &al. — This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Tait of Counsel for the plaintiff in error & by Mr. Parish of Counsel for the defendant in error

90 Samuel Hagley &c
vs. pltffs in er.
Joseph L. Wilson

This cause was argued by Mr. Blair of counsel for the plaintiffs in error and submitted on printed argument by Mr. Glover of counsel for the defendant in error.

91 Maria Josefa Lamar &c
vs. pltff in er
Manuel Torrey &c

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Hale of counsel for the plaintiffs in error and by Mr. Hughes of counsel for the defendants in error

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

12083. Wednesday February 27th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney.	Chief Justice
	John McLean,	
	James M. Wayne,	
	John Catron,	Associate
	Samuel Nelson,	Justices.
	Robert C. Grier,	
	John A. Campbell &	
	Nathan Clifford.	

William Selden, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Reid it is ordered that Rufus F. Andrews, Esquire of New York City, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Grimsted it is ordered that Edgar Nicholson, Esquire of New York City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by the Attorney General Mr Ingersoll, it is ordered that Thomas Sergeant jr. Esquire of Philadelphia, State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

93. James H. Snydam vs. Jeffries & Wm H. Williamson

This cause was argued by the Clerk of counsel for the defendant in error.

94 Alfred Tracy, Surviving vs Jeffries & William Holcombe.

On the motion of Mr White for counsel for the plaintiff in

ence, it is now here ordered by the Court that this cause be and the same is hereby postponed for the present.

95 Thomas Lewis
pltff in Er.
vs
Benedict C. Higgins

This cause having been called and no counsel appearing ready to argue the same, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket.

98 The United States
vs
Charles Guiteau

On the motion of Mr. Attorney General Stanton of Counsel for the appellants it is now here ordered by the Court that this cause be and the same is hereby continued to the next term.

99 The City of Carondelet
pltff in Er.
vs
The City of St Louis

On the motion of Mr. Nice of Counsel for the plaintiff in error and with the assent of Mr. Blair of Counsel

for the defendant in error it is now here ordered by the Court that this cause be and the same is hereby set down for argument on Tuesday next the 5th proximo.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

1208.

Thursday, February 28th 1862.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney Chief Justice
John McLean,
James M. Wayne,
John Catron,
Samuel Nelson,
Robert C. Grier,
John A. Campbell,
Nathan Clifford
Associate Justices.

William Selden, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Noyes, it is ordered that Charles E. Strong, Esquire, of New York City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

102 Pierre Berthold & al
vs
Edward Goldsmith

The argument of this cause commenced by Mr Blair of counsel for the plaintiffs in error continued by Mr Carlisle of counsel for the defendant in error and concluded by Mr Blair for the plaintiffs in error.

101 The Board of Commissioners of Knox County.
vs
Wm H. Aspinwall & Co.

The argument of this cause was commenced by Mr Fisher of counsel for the plaintiffs in error, continued by Mr Linton of counsel for the defendants in error and concluded by Mr Fisher for the plaintiffs in error.

Proclamation being made the Court adjourned until ten o'clock tomorrow morning.

Friday, March 1st 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice.
John McLean,
James M. Wayne, Associate
Samuel Nelson, Justices.
Robert C. Grier
John A Campbell
Nathan Clifford

William Selden, Esquire, Marshal.
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Bushing, it is ordered that Charles H. Hunt, Esquire of Boston Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Martin it is ordered that Hon. John C. Burch of Watsonville, State of California and Jas. Foster Esquire of Oregon State of said Court be admitted to practice as Attorneys and Counsellors of this Court, and that they severally take oaths accordingly.

On motion first made to the Court in this behalf by Mr Carlisle, it is ordered that Enoch Knight Esquire of Kalamazoo, State of Michigan be admitted to practice as an Attorney and Counsellor of this Court & he was sworn accordingly

On motion first made to the Court in this behalf by Hon. J. E. Bigby it is ordered that Jacob Butler, Esquire of Muscatine State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

136 Richard Gregg, in person vs Wm P. Bryant.

Mr Ballance of counsel for the plaintiff in error having suggested the death of Wm P. Bryant, the defendant in error, and prayed the appearance of Maria Bryant, widow, and George W. Thompson and Sarah Maria, his wife, late Sarah Maria Bryant, Wm. F. Bryant Emily Jane Bryant, John Thomas Bryant, and Leighman Howard Bryant, heirs at law of said William P. Bryant, deceased and the written authority of Mr Williams to appear as their counsel, now has moved the Court for an order substituting the said widow and heirs, and making them the defendants in error in the place of the said Wm P. Bryant, deceased.

On consideration whereof it is now here ordered by the Court that the appearance of said Maria Bryant, widow, and George W. Thompson, and Sarah Maria his wife, Wm F. Bryant, Emily Jane Bryant, John Thomas Bryant, and Leighman Howard Bryant, heirs at law of Wm P. Bryant deceased as aforesaid, be and they are

hereby made the defendants in error in this cause with the right to avail their writ of error.

John A. Houghton &c. vs. Plaintiffs in Error
Lucy R. Jones. Defendant in error

978

On motion of the Counsel for the plaintiffs in error by leave and annul the judgment of this Court entered in this cause on a former day of this term, to wit on Friday the 14th of December last dismissing the writ of error with costs and for leave to file the record and docket the cause - it is now here ordered by this Court that said judgment be and the same is hereby recalled and annulled upon the payment of the costs by the plaintiffs in error, and upon the record being filed and the cause docketed in due form by the 1st day of this Court

Dr Mr. Ch. Just. Taney

1341	Jno. Ld. Woodbury jar. vs. pltff in er. The State of Ohio	The motion to dismiss this Cause was further argued by Mr. Pugh of counsel for the plaintiff in error and by Mr. C. M. Stanton of counsel for the defendant in error.
42	Wm. B. Waddell vs. pltff in e. Wm. H. Bryan jar	The argument of the motion to dismiss this Cause was Commenced by Mr Attorney General Stanton of counsel for the defendants in error, continued by Messrs Tyson and Meyer of counsel for the plaintiff in error and concluded by the Attorney General for the defendants in error
29	The United States vs. Apfelt Peasock Billings jar.	This Cause was argued by Mr. Attorney General Stanton of Counsel for the appellants, and by Mr. Stevenson Johnson and Mr. Linton of counsel for the appellees.

29

The United States, Appts
vs
Judiah Billings, James K. Boston and Henry Hitchcock, assignees of Sejar Simmons, and of Orrin Simmons, Henry Simmons, Nathan S. Simmons, Benjamin F. Simmons, Priscilla Simmons, Ann S. Ryder, and Augusta A. Barthelmess, heirs at law of Sejar Simmons, deceased.

Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court be and the same is hereby affirmed

Per Mr. Ch. Jus: Taney.

103.	Lucius Fairman Marshal &c. vs. Plff in Er. John L. Howard &c.	The argument of this cause was commenced by Mr Parker of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice

John McLean,
James M. Wayne,
John Catron,
Samuel Nelson,
Robert C. Grier,
John A. Campbell,
Nathan Clifford
Associate Justices

William Selden Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. S. A. Hammond it is ordered that I. N. Holmes, Esquire of Fayetteville, State of New York, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Monday March 4th 1861 Continued -

The Court attended the inauguration of His Excellency Abraham Lincoln President of the United States.

Proclamation being made the Court it adjourned until tomorrow morning at eleven o'clock

VO

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U

Tuesday. March 5th 1861. 1209

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice.
John M. Mc Lean.
James M. Wayne.
James Nelson. } Associate
Robert C. Grier, } Justices.
John A. Campbell
Nathan Clifford

William Tolson, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon S. Phillips it is ordered that Hiram Paulson, Esquire, of Havana State of New York, be admitted to practise as an attorney and Counsellor of this Court and he was sworn accordingly.

12099. Tuesday March 5th 1861 Continued.

On motion first made to the Court in this behalf by Hon. J. P. Tinton it is ordered that John A Wins Esquire of Washington State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr Mathews it is ordered that Charles Lemoine and Florentin H Peltier, Esquires of Boston and Hamilton B Staples, Esquire of Ingersoll, State of Massachusetts, be admitted to practice as an Attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Hon R S Gillet it is ordered that Hon Jno Harris of Albany, Charles G. Myers, Esquire of Cooperstown, and George Wayford, Esquire of Albany, State of New York be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

On motion first made to the Court in this behalf by Hon B G Howard it is ordered that Calvin Hawkes Esquire of Warren, State of New York, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

George W Kay, Warren Bradford, Isaac Frothingham and Geo W. Warren Apfts. vs William A Bradshaw and John A. Keith. 82

Appeal from the District Court of the United States for the District of Indiana

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Indiana and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with Costs.

Opr Mr Just Nelson.

Richard Roe on the demise of Robt H Smith & Benj H Bull. vs Jeffn Co. William McCann

68

In error to the Circuit Court of the United States for the District of Maryland

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel.

On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Ch Jus Taney

Benjamin F Phelps and Joseph L Gunn vs Defts in error Lycurgus Edgerton, Wm H. Cunning & John G Wright

85

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern

District of Missouri and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of ten per cent per annum.

Jos. Mc Kinley Ch: Jus: Taney

Watson Freeman
late Collector &c
103 vs. Appellee
Isaac E. Morse for

The argument of this cause was Continued by Mr. Parker of Counsel for the plaintiff in error, and by Mr. Mitchell of Counsel for the defendants in error, and concluded by Mr. Parker of Counsel for the plaintiff in error.

James H. Sinclair
93 vs. Appellee.
Wm H. Williamson.

This cause was submitted on the Transcript in behalf of the plaintiff in error on a printed argument by Mr Ellingwood of Counsel for

12103 Thursday March 5th 1861. Continued.

said plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Wednesday March 6th 1861. 10 oclock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
Peter V. Daniel
James M. Wayne
John Catron, Associate
Samuel Nelson, Justices
Robt. C. Grier,
John A. Campbell
Nathan Clifford

William Thomas Carroll Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion just made to the Court in this behalf by Mr. J. Ewing, it is ordered that Lemuel Sawyer Esquire of Rockport, State of Illinois, Wm. H. Armsbery, Esquire of Williamsport, State of Pennsylvania, and Andrew Jane Esquire of New Haven, State of Connecticut be severally admitted to practice as Attorneys and Counsellors of this Court and thereupon severally sworn accordingly.

On motion just made to the Court in this behalf by Hon R. M. Gillet it is ordered that Edmund H. Bennett, Esquire of West Boston, and Henry L. Knowles, Esquire of Fishkill New York be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

On motion just made to the Court in this behalf by Hon M. Blair it is ordered that George S. Hale, Esquire of Boston, State of Massachusetts be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The United States } Appeal from the District
vs. } Court of the United States
James Enright } for the Northern District
of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California, and on the motion of the Attorney General Stanton of Counsel for the appellants. It is now here ordered, ad-

judges and ordered by this Court that this appeal be and the same is hereby dismissed

Per Mr. Ch: Jus: Taney

The United States
vs. Appts
221 Mariano Castro

Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and on the motion of Mr. Attorney General Stanton of Counsel for the appellants. It is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed.

Per Mr. Ch. Jus. Taney.

The United States
vs. Appts
304 Benjamin D. Wilson, substituted for Juan Gallardo

Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard

the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr. Attorney General Stanton of counsel for the appellants. It is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed.

Pr. Mr. Ch. Jus Taney

Mr Attorney General Stanton then addressed the Court as follows:

"May it please the Court:

I have the pleasure of presenting the Honorable Edward Bates who has been commissioned and qualified as my successor in the office of Attorney General of the United States.

In taking leave, Sir, of my official relation to this Court, I beg to return my sincere thanks for the kindness and attention that have always been exhibited towards me and to express my profound respect for your high judicial station, and your personal character, and my earnest wish for the sta-

bility of this tribunal, and to the wisdom and happiness of the Judges whose wisdom and learning adorn it"

To which Mr Chief Justice Taney replied:

"The Court thank you for the kind terms in which you have taken leave of them on your retirement from office, and in return tender to you for yourself the same kind wishes that you have been pleased to express for them."

The Honorable Edward Bates appeared and produced the following Letters Patent and oath of office, which were read in open Court, and ordered by the Court to be recorded on the minutes of this Court in the following words, viz:

"Abraham Lincoln,
President of the United States of America.

To all who shall see these Presents, Greeting:
Know Ye: That reposing Special trust and Confidence in the Patriotism, Integrity and

Thursday, March 6th 1861, Continued.

Whereas Edward Bates of Missouri, I have nominated, and by and with the advice and consent of the Senate, do appoint him to be Attorney General of the United States, and do authorize and empower him to execute and perform the duties of that office according to Law, and to have and to hold the said office, with all the powers, privileges and emoluments thereunto of right appertaining unto him the said Edward Bates, during the pleasure of the President of the United States for the time being.

In Testimony whereof I have caused these Letters to be made patent and the Seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington, the Fifth day of March in the Year of Our Lord One thousand eight hundred and Sixty one and of the Independence of the United States of America the Eighty fifth.

Abraham Lincoln

By the President.

William H. Seward, Secretary of State

"I, Edward Bates, having by and with the advice and consent of the Senate been appointed Attorney General of the United States, do solemnly swear that I will execute the trust committed to me, and that I will support the Constitution of the United States

Edw'd Bates.

Sworn to and subscribed
before me this Sixth day
of March A.D. 1861.
A. Nelson
Associate Justice
of sup. Court of U.S."

The City of Carondelet
vs. plff in Er.
City of St. Louis.

The argument of this cause was commenced by Mr Hoe of counsel for the plaintiff in error, and continued by Mr Blair of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday March 7th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney Chief Justice
John McLean
James M Kayn
John Catron Associate
Samuel Nelson, Justices.
Robert C. Grier.
John A. Campbell
Nathan Clifford.

William Seldon, Esquire, Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

On motion for it made to the Court in this be-
half by Mr. Thos Ewing it is ordered that
James M. Ashley Esquire of Toledo, Levi Leigh
Esquire of Urbana, and E. P. Bassett Esquire
of Toledo Ohio, be admitted to prac-
tice as Attorneys and Counsellors of this Court
and they were severally sworn accordingly.

On motion first made to the Court in this behalf by Mr Evarts, it is ordered that Edwin Smith Esquire of New York City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon Mr Farnsworth it is ordered that E. S Smith, Esquire of Chicago State of Illinois be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The City of Cannadice
vs
The City of St. Louis.

In error.

The argument of this cause was commenced by the Counsel of counsel for the plaintiff

Tuesday. March 9th 1861, Continued

Wm. C. Sinnickson
vs.
Jeffersonville
Wm. A. Linn
and
Wm. C. Sinnickson
vs.
Jeffersonville
Wm. A. Linn.

The argument of
these causes was
Commenced by
Mr. Phillips of
Counsel for the
plaintiffs in Error
and Continued
by Mr. Stanton of
Counsel for the defendants in Error

Adjournment being made the Court is adjourned
until tomorrow morning at eleven o'clock.

Trinity, March 5th 1861.

Pursuant to agreement the Court
met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
Samuel M. Wayne,
John Catron,
Samuel Nelson, Associate
Robert C. Grier, Justices
John A. Campbell,
Nathan Clifford
William Fidon Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court proceeded

The motion first made to the Court in behalf of Mr. Carroll of counsel that J. Mason Esquire of Washington District of Columbia be admitted to practice as an Attorney and Counsellor of this Court was read and sworn accordingly

Friday. March 8th 1861. Continued.

On motion first made to the Court in this behalf by Hon E. M. Stanton it is ordered that Henry Bowdoin Esquire of Washington District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Carlisle it is ordered that Hugh L. Bayley Esquire of the State of Maine be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Joseph C. Willard & Benj. F. Willard vs. Thomas Carbery — In error to the Circuit Court of the United States for the District of Columbia

Mr Carlisle of counsel for the defendant in error having filed and read in open court the following certificate, to wit:

"District of Columbia
County of Washington, to wit:
I John A. Smith Clerk of the

Circuit Court of the District of Columbia for the County of Washington do hereby certify that in a certain judgment rendered by said Court at the October term thereof, to wit, on the 5th day of November in the year 1860, in which Thomas Barber was plaintiff and Joseph C. & Henry A. Willard were defendants, the said Defendants did within ten days after the rendition of said judgment file in said cause his Appeal Bond with a Writ of Error to carry said cause to the Supreme Court of the United States, &c. And I further certify that said Writ of Error is still pending and the proceedings in said cause are thereby suspended in the said Circuit Court.

In testimony whereof I have hereunto subscribed my name and affixed the seal of said Court this 8th day of March 1861.

Jno A. Smith, Clk

And having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error now

here moved the court in pursuance of the 9th rule of this court to have this writ of error docketed and dismissed - On consideration whereof it is now here ordered and adjudged by this court that this writ of error to the Circuit Court of the United States for the District of Columbia be and the same is hereby docketed and dismissed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding

per Mr. Chief Justice Taney

Alfred Tracy, surviving partner vs. Plaintiff in Error
Wm. Holcombe

This cause was submitted to the consideration of the Court on the record and printed arguments of the Counsel of counsel for the plaintiff in error

	Thomas J. Davidson	The motion of
264	vs. pltff in err.	Wm Brent of Counsel for the defendant
	W. L. Lanier, Curator &c.	and in error to
	and	dismiss this cause
	Thomas J. Davidson	was argued by
265	vs. pltff in err.	him in support
	W. L. Lanier, Curator &c.	thereof.

	Wm H. Belcher & al	The arguments of
1	vs. pltffs in err.	these Causes were
	Wm A. Linn	concluded by Mr
	and	Phillips of Counsel
	Wm H. & Chas Belcher	for the plaintiffs
21.	vs. pltffs in err.	in error.
	Wm A. Linn	

	James Knight & al.	This Cause was submitted
311	vs. pltffs	to the consideration
	Augustus Schott	of the Court on the manuscript and printed arguments

by Mr J. S. Williams of Counsel for the pltffs in err by Mr Clarke of Counsel for the defendant

Proclamation being made the Court is adjourned until Thursday morning at eleven o'clock.

Thursday March 14th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
Samuel M. Wayne,
John Catron, Associate
Samuel Nelson, Justices
John A. Campbell
Nathan Clifford
William Sidon Esquire Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion of it was ordered by the Court in this case by Hon E. M. Stanton, it is ordered that Nathan H. Stanbuck Esquire of Washington District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Thursday March 14th 1861 Continued

On motion ordered that Mr. Chas. Mason, at the request of Mr. Chas. E. Stevens Esqr. of Washington District of Columbia be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly

Charles E. Milner appt.
vs.
2 The New Jersey R. R. & Transp. Co.

Court not being now fully advised in the premises what judgment to render in these causes, it is now here ordered that they be held under advisement and that the same be and hereby are

David Burdow, appt.
vs.
3. The New Jersey R. R. & Transp. Co.
and
Charles E. Milner, appt.
vs.
11 The Newark Plank Rd. & Ferry Co.

continued until the next term

96 Robert L. Sherman, Compt vs. The Hudson R. Bridge Co at Albany and Frederick H. Coleman Compt vs. The Hudson R. Bridge Co at Albany

This Court not being now here sufficiently advised of and concerning what judgment to render in these causes, it is now here ordered that they be held under advisement, and that the same be and hereby are continued until the next term.

97 Mary Joseph Executrix vs. Appellee. Mary Sherwood

It is now here ordered by the Court that this cause be argued orally at the bar of this Court and that the same be and hereby is continued until the next term.

98 The City of Cincinnati vs. Appt The City of St. Louis.

It is now here ordered by the Court that this cause be argued and that the same be and hereby is continued until the next term.

Thomas J. Davidson
vs. pltff in err
W. L. Lanier, Curator
and
Thomas J. Davidson
vs. pltff in err.
W. L. Lanier, Curator &c

264

265

It is now here ordered by the Court that the motions of the Pltff in err to dismiss these Causes be and the same are hereby continued on til the next term to be heard on the first Friday of the term provided that notice of the motions and the day of hearing be served on the party or his Counsel thirty days before the Commencement of the next term.

William H. Belcher
Charles Belcher.
vs. pltff in err.
William A. Penn.

1

On motion to the Circuit Court of the United States for the District of Missouri

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that

the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

per Mr. Just. Clifford

William H. Belcher & Charles Belcher
vs.
William A. Linn

In error to the Circuit Court of the United States for the District of Missouri.

21

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Just. Clifford

John A. Wharton pltff in er.
vs
Andrew J. Nesbit, James Caudina Frank M. Barkley, James R. Trimble Nelson J. Mathis & Robert M^c Neely.

83

Error to the Circuit Court of the United States for the Middle District of Tennessee

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Clifford

Pierre A. Berthold, Alfred G. Bennett & Theodore Thompson pltffs in er
vs.
Edward Goldsmith.

102

Error to the Circuit Court of the United States for the District of Missouri.

This cause came on to be

heard on the transcripts of the record from the Circuit Court of the United States for the District of Missouri and was argued by counsel: On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Missouri.

Per. Mr. Jus: Clifford

James Knight, James H. Hist & Robert Sargeant
vs. pltffs
Augustus Schell.

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcripts of the record from the Circuit Court of the United States for the Southern District of New York and on the point or question upon which the Judges of the said Circuit Court were opposed in opinion and which was certified to this Court for its opinion agreeably

to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof it is Ordered by this Court that bonds manufactured in the United States and exported only to Cuba and afterwards brought back to the United States filled with merchandise as in Cuba, are not brought back in the same condition as when exported, according to the true intent and meaning of the acts of Congress in that behalf. Whereupon it is now here ordered by this Court that the be so certified to the said Circuit Court.

Js. Mr. Ins. Clifford

Thomas Meehan & Charles Bastiance vs. Plaintiffs in error
Robert Forsyth

73 In error to the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof it is

12127 Thursday, March 14th 1861, Continued -

now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs; and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo

per Mr. Justice Campbell

Richard Gregg and
Francis Bellance
vs. plffs in
Robert Forsyth

7 pl

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, & that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr. Justice Campbell

Charles Baltimore Appt		Appeal from the
	in	Circuit Court of
76	Robert Forsyth Lucius Lu-	the United States
	main & Antoine R Bonis	for the Northern Dis-
		trict of Illinois.

This cause came on to be heard on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Opr. Mr. Jus. Campbell

Joseph J. Thiebaud - plff in Err		Error to
	in	the District
89.	vs.	Court of the
Jacob de Cordova, William Holm,		United States
Charles Leister, George Weber, Christian		for the Northern
Bär Cassimer Reidorf, Henry Siegesmund		District of
Charles Buss, Christopher Bauer, James		Texas.
Fertsch and Tobias Hunninger.		

This cause came on to be heard and

the transcript of the record from the District Court of the United States for the Western District of Texas and was argued by Counsel On Consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs.

Pr. Mr. Justice Campbell.

Wm. H. Ingraham, petitioner.
vs.
William H. Williamson, David K. Williamson, Mary A. Williamson, Isabella Williamson, Catharine B. Williamson, Charlotte A. Williamson, Rupert J. Cochran, Isabella H. Cochran & Bayard Clark.

In Error to the Circuit Court of the United States for the Southern District of New-York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel On consideration whereof it is now ordered and adjudged by this Court

that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

pr. Mr. Just. Campbell

The Board of Commissioners of Knox County - plffs in er.
vs.
William H. Sprinmire, Joseph D. Leisch, Henry Chancey, Charles Gould & Samuel L. M. Barlow

In error to the Circuit Court of the United States for the District of Indiana.

101

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by counsel On Consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

pr. Mr. Just. Grier

William Marbury, John Lawrence, Robert H. Wright, & Thos. J. Dickenson
vs. Pltffs in Er.
The State of Ohio.

In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

per Mr. Jus. Grier.

James L. Norvell
vs. Pltffs in Er.
Bushrod W. Foley

In Error to the Court of Appeals for the State of Kentucky

This cause came on to be heard on the transcript of the record from the Court of Appeals for the State of Kentucky and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that this cause be and

the same is hereby dismissed for the want of jurisdiction.

per Mr. Justice Grier.

88 Thacker B. Howard vs. Jeffries. Francis Bugbee. In error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme court of the State of Alabama and was argued by Counsel & upon consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court in order that a decree may be entered for Thacker B. Howard, the plaintiff in error in this Court.

per Mr. Justice Nelson.

Thursday, March 11th 1841. Continued.

Nathan Freeman
Marshall & Lee.
in Error to
John C. Hoar, &c.
& Perkins & Wm Minot

In error to the Supreme Judicial Court of the Commonwealth of Massachusetts within & for the County of Middlesex in the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the Commonwealth of Massachusetts, within and for the County of Middlesex in the District of Massachusetts and was argued by Counsel On Consideration whereof it is now hereby ordered and adjudged by this Court that the judgment of the said Supreme Judicial Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Supreme Judicial Court in order that such further proceedings may be had therein in conformity to the opinion of this Court

Mr. Justice Nelson

	Samuel Massey Comm'r. &c. Mackay Appellants &c. vs. Appellees &c. Joseph L. Papin.	In error to the Supreme Court of the State of Missouri.

90

This cause came on to be heard on the transcripts of the record from the Supreme Court of the State of Missouri and it was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs

for Mr. Justice Catron

	Myra Clark Gaines Appellant vs. Appellee Edward A. Hennen	Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

66

This appeal having been heard by this Court upon the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and upon the arguments of counsel as well for the appellant as for the appellees—

this Court upon consideration of the premi-
ses doth now here adjudge and decree
that the decree of the said Circuit Court
be and the same is hereby reversed with cos
and that such other decree in the premises
be passed as is hereinafter ordered and de-
creed.

And this Court thereupon proceeding to
pass such decree in this cause as the said
Circuit Court ought to have passed, doth
now here order, adjudge and decree that it
be adjudged and decreed, and it is hereby ad-
judged and decreed upon the evidence in
this cause, that Myra Clark Gaines, Com-
plainant in the same is the only legitimate
child of Daniel Clark in the said bill and
proceedings mentioned; and as such was
exclusively invested with the character
of such legitimate child and entitled to
all the rights of the same; and that under
and by virtue of the last will and testa-
ment of the said Daniel Clark, the said
Myra Clark Gaines is the Universal Lega-
tee of the said Daniel Clark, and as such
entitled to all the estate whether real or

personal, of which the said Daniel Clark died possessed subject only to the payment of certain legacies hereinafter named.

And this Court doth further order, adjudge and decree that all property described and claimed by the defendant Simeon N. Hennen in his answer and exhibits thereto annexed is part and parcel of the property composing the succession of the said Daniel Clark, to wit: the sum which Richard Relf and Barclay Glenn were condemned authority of testamentary executors of the said Daniel Clark one of attorneys in fact of Mary Clark, by act of sale dated December 28th 1820, conveyed to Azelie Savigne, which the said Azelie Savigne, by act of sale of the 29th of February 1836, conveyed to J. Hamilton, and which the said J. Hamilton by act of sale of the 27th of May 1836, conveyed to the New Orleans and Carrollton Railroad Company and which the said Company by act of sale of the 13th of May 1844, conveyed to the said Simeon N. Hennen the defendant

in this cause, that the said Richard Reif and Beverly Chew, at the time and times when under the pretended authority aforesaid they caused the property so described and claimed by the defendant Kenner, to be set up and sold by public auction on the 19th day of December 1820, and when they executed their act of sale aforesaid of the 28th of December 1820, to the said Uzzie Sarigne had no legal right or authority whatever so to sell and dispose of the same or in any manner to alienate the same, that the said sale at auction and the said act of sale to Uzzie Sarigne in confirmation thereof were wholly unauthorized and illegal and are utterly null and void; and that the defendant Kenner at the time when he purchased the property so described and claimed by him as aforesaid, was bound to take notice of the circumstances which rendered the actings and doings of the said Beverly Chew and Richard Reif in the premises illegal, null and void; and that he the said Kenner ought to be deemed and held and is hereby deemed and held, to have

purchased the property in question with
full notice that the said sale at auction
under the pretended authority of the said
Richard Relf and Beverly Chew and their
said act of sale to said Ayotte Savigne
were illegal, null and void, and in fraud
of the rights of the person or persons entitled
to the succession of the said Daniel Clark.

And this Court doth further order
adjudge and decree that all the prop-
erty claimed and held by the defendant
Kenner as aforesaid now remains un-
claimed and undisposed of, as part and
parcel of the succession of the said Daniel
Clark, notwithstanding such sale at auc-
tion and act of sale in the pretended right
or under the pretended authority of the said
Richard Relf and Beverly Chew.

And the Court doth further order,
adjudge and decree that the complainant
Myra Clark Gaines is the legitimate and
only child of the said Daniel Clark and
universal legatee under his last will and
testament is justly and lawfully entitled
to the property aforesaid so claimed and

held by the defendant Hennen together with all the yearly rents and profits accruing from the same, since the same came into the said defendants possession, to wit, on the 13th of May 1844, and for which the said defendant is hereby ordered, enjoined and decreed to account to the said Myra Clark Gaines.

And the court doth now here remand this cause to the said Circuit Court for such further proceedings as may be proper and necessary to carry into effect the following directions: that is to say,

1 To cause the said defendant Hennen forthwith to surrender all the property so claimed and held by him as aforesaid into the hands of the said Myra Clark Gaines as a part of the succession of the said Daniel Clark.

2. To cause an account to be taken by the proper officers of the Court and under the authority and direction of the Court, of the yearly rents and profits accrued and accruing from the said property since the 13th of May 1844, when it came into the possession of the defendant Hennen and

and to cause the same to be ascertained and paid to the said Myra Clark Gaines.

The account to be taken subject to the laws of Louisiana in cases of such recovery as is now decreed in favor the said Complainant.

3. To give such directions and make such orders from time to time as may be proper and necessary for carrying into effect the foregoing directions, and for enforcing the due observance of the same by all parties and by the officers of the Court.

Jr. Mr. Jus. Wayne.

Dissenting - Mr. Jus. Catron.
Mr. Jus. Grier & Mr. Ch. Jus. Taney

(Mr. Justice Campbell having been of counsel for the Complainant did not sit in this Cause.)

84 Jacob E. Curtis vs. Pltff. In a Certificate of division in opinion between the Judges of the Circuit Court of the United States for the Western District of Pennsylvania.

The Counties of Butler.

This Cause came on to be heard on the transcript of the record from the

Circuit Court of the United States for the Western District of Pennsylvania, and on the points & questions upon which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for the opinion agreeably to the Act of Congress in such case made and provided, and was argued by Counsel. On consideration whereof it is the opinion of this Court that power is given in the "Act to incorporate the Northwestern Rail Road Company" passed by the General Assembly of the Commonwealth of Pennsylvania on the 9th of February 1853, and by the agreement of subscription and terms of payment as set forth in the charter of the road, to the Commissioners of the County of Butler to make the instrument sued upon which this suit is brought, and thereby bind the County of Butler to pay them, - and that under the power given to issue bonds payable to bearer with coupons attached said power would be exercised by two out of the three Commissioners of the said County; and lastly, that these bonds although signed by but two of the said Com-

missioners are binding on the said County.
Whereupon it is now here ordered and adjudged that it be so certified to the said Circuit Court.

Jn. McLean Assc. Wayne.

Ex parte: In the matter of the Commonwealth of Kentucky one of the United States of America by Briah Magoffin, Governor and the Executive Authority thereof

Mot. orig. vs. Petitioner
William Dennison, Governor of the State of Ohio

On consideration of the petition for a mandamus or for a rule on William Dennison Governor of Ohio, to show cause why a mandamus should not be issued by this Court, Commanding him to cause Willis Lago, a fugitive from justice to be delivered up to be removed to the State of Kentucky having jurisdiction of the crime with which he is charged, and of the arguments thereupon had as well in support of as against the prayer of the said petition It is now here ordered and adjudged by

Thursday March 11th 1841 Continued.

this Court that the mandamus nisi prayed for be denied, and that the said petition be and the same is hereby dismissed.

Jer. Mr. Ch. Jus. Taney

Wm C. Maddox, plff in er
vs.
Wm H. Bryan, Alfred L. Read, Wm H. Giles, John Cameron, James Fenn, Charles Hutchinson & John Moore

In error to the Court of Appeals of the State of Maryland

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Jer Mr. Ch. Jus. Taney

Alfred Tracy Survivor &c of Edward Tracy - 94 vs. Pltff in Err. William Holcombe.	In error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

per Mr. Ch. Jus. Taney

John A Eustace & Elias B. Stiles 111 vs. Appts William A Booth.	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and it appearing to the Court that a Stipulation

Thursday, March 11th 1869 Continued.

of the parties has been filed to dismiss this appeal at the costs of the appellants. It is thereupon now here ordered and decreed by this Court that the appeal in this case be and the same is hereby dismissed at the costs of the appellants pursuant to the terms of said Stipulation.

per Curiam Chase Justice Taney.

It is now here ordered by the Court that all the causes on the docket not decided and all the other business of the term not disposed of by the Court be and the same are hereby continued over to the next term of this Court.

Proclamation being made the Court is adjourned to the time and place appointed by law.

Journal of

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S. Nelson, Chief Justice
m. Wayne
Catron, Associate
C. Grier, & Justices
n Clifford
Exon. Nelson.
Swayne, Clerk,

mon the Court is opened

Equire appeared and
ing Letters Patent, was
were read in open Court

and ordered by the Court to be recorded on the minutes of this Court in the following words, viz:

Abraham Lincoln,
President of the United States of America,
To all who shall see these Presents, Greeting.

Know Ye That reposing Special trust & Confidence in the Integrity, Ability, & Diligence of Ward H. Lamon of Illinois, I have nominated, and by and with the advice and consent of the Senate do appoint him Marshal of the United States in & for the District of Columbia, and do authorize and empower him to execute and fulfil the duties of that office according to Law, And to have and to hold the said office, with all the powers, privileges and emoluments to the same of right appertaining unto him the said Ward H. Lamon for the term of four years from the day of the date hereof, unless the President of the United States for the time being should be pleased sooner to revoke and determine this Commission

In Testimony Whereof, I have caused these Letters to be made Patent and the Seal of the United States to be hereunto affixed.

Given under my Hand at the the City of Washington the Twenty sixth day of July in the Year of Our Lord one thousand eight hundred & sixty one & of the Independence of the United States of America the eighty sixth

By the President - Abraham Lincoln
William H. Seward, Secretary of State."

"The United States of America,
District of Columbia,
County of Washington.

Personally appeared before me Ward H. Lamon, Marshal of the United States for the District of Columbia who first being duly sworn doth depose as follows, that is to say, "I, Ward H.

Lamon, do solemnly swear that I will support the Constitution of the United States" and "I, Ward H. Lamon do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the District of Columbia, under the authority of the United States, and true returns make and in all things well and truly and without malice or partiality perform the duties of the office of the Marshal of the District of Columbia during my continuance in said office, and take only my lawful fees.

So help me God"

Ward H. Lamon.

Sworn to and subscribed before me this 29th day of July A.D. 1861, in the City of Washington District of Columbia

Jas Dunlop."

Mr Chief Justice Taney announced to the Bar that the Court would announce the call of the docket tomorrow under the 26th rule.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Roger B. Taney, Chief Justice
James M. Wayne,
John Catron, } Associate
Robert C. Grier, } Justices.
Nathan Clifford,
Ward H. Lamon, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Bates it is ordered that John R. Shepley Esquire of St Louis State of Missouri be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Thursday, December 3d 1861, Continued.

On motion first made to the Court in this behalf by Hon. E. M. Stanton it is ordered that Thomas Lincoln Casey, Esquire, of Sacramento, State of California be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Mr. Attorney General Bates moved the Court to have the proceedings of the Bar entered upon the minutes of this Court, preparatory the same with some remarks.

At a meeting of the members of the Bar and officers of the Supreme Court of the United States held in the room of the Supreme Court on Monday the 2d day of December in the year 1861, to adopt measures to testify their high appreciation of the character and public services of the late John McLean an Senior Associate Justice of said Court Richard S. Coxe, Esquire on behalf of the Committee appointed for that purpose submitted the following

Tuesday, December 3rd 1861 Continued

Resolutions

1 That the members of this bar and the officers of the court entertain a profound sense of the loss which in common with the whole nation they have sustained in the death of the late Mr. Joshua McLean, so long known to the community and in an especial manner to the profession as a learned legal adviser, a faithful counsellor, the purity of his private character, and the eminent ability with which he discharged the duties of the high offices judicial, administrative and legislative with which his name has been so long and so honorably associated.

2. That we will wear the accustomed badge of mourning during the present term of the Court

3rd. That the Chairman and Secretary of this meeting transmit a copy of these proceedings to the family of the deceased, communicating at the same time the deep and sincere sympathy felt by the members in the affliction with which they have been visited by a wise and merciful Providence

4th. That the Honorable the Attorney General be respectfully solicited to present these proceedings to the Supreme Court now in session, and to ask that they may be entered on the minutes of the Court."

To which Mr Chief Justice Taney replied as follows:

"The members of the Court unite with the Bar in sincere sorrow for the death of the late Mr Justice McLean. He held a seat on this Bench for more than thirty years and until the last two years of his life when his health began to fail was never absent from his duties here for a single day. His best eulogy will be found in the reports of the decisions of this Court during that long period of judicial life. And these reports will show the prominent part he took in the many great and important questions which from time to time have come before the Court and the earnestness and ability with which he investigated and discussed them. They are the recorded evidence of a mind

form, frank and ingenuous and just as the subject before him at the time.

Before he occupied a seat on this Bench, he filled the office of Assistant Attorney General of the United States. And in that post displayed an administrative talent hardly ever surpassed, with a firmness of character and uprightness of purpose never questioned. Words of eulogy are hardly needed to memory of one so widely known and respected, eminent in profession as well as private life. We deplore his loss and join the members of the Bar in paying due honors to his memory, and direct the motion of the Attorney General, and the Resolutions of the Bar in relation to our deceased Brother to be placed on record with this response from the Court. And as a mark of respect we will adjourn to day without transacting any of the ordinary business of the Court."

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday, December 11th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Robert C. Grier
Nathan Clifford
Associate Justices.

Lloyd N. Lamon, Esquire, Marshal,
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

The Chief Justice stated that during the recess of the Court he received a letter from Hon Benjamin C. Howard dated 13th. September 1861, resigning his situation as Reporter of this Court. He directed the Clerk to file said letter, and gave notice that the vacancy would not be filled until the return of Mr. Justice Nelson

On motion first made to the Court in this behalf by Hon. Charles K. Dean it is ordered that Micah Dyer Jr. Esquire of Boston State of Massachusetts be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Clinton Briggs Esq it is ordered that Edward Jefferson Esquire of New York City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Charles A Mackubin & Ellin M Mackubin, husband & wife Appts vs. John A Lockwood and Henry H. Lockwood. Appeal from the District Court of the United States for the District of Minnesota

178

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Minnesota and it appearing

Wednesday, December 16th 1861, Continued.

to the Court that a Stipulation has been filed Stating that the matter in controversy had been agreed and settled between the parties & it is thereupon on the motion of Mr. Elliot of Counsel for the appellees now here ordered, adjudged and decreed by this Court that this Cause be and the same is hereby dismissed, and that each party pay his own costs in this Court.

Pr. Wm. Ch. Jas. Tansey

George C. Bates
vs
Illinois Central R.R. Co

1375 Mr. Foy of Counsel for the defendant in error moved the Court to postpone the argument of this cause until the first Monday of February next. On consideration whereof it is now here ordered by the Court that the said motion be and the same is hereby overruled.

John D. Hager
32 vs. Apptt
John K Thomson &c.

Mr Bradley of counsel for the appellees having filed a suggestion of a diminution of the record in this case in the words and figures following, to wit:

"That the schedules annexed to the answer of the appellees defendants below to the original Bill of the appellant have not been transmitted with the record which schedules are the following, to wit.

Schedule A. An act of the legislature of New Jersey entitled "An act to incorporate the New Brunswick Steam Boat and Canal Transportation Company" passed January 1831.

Schedule B. Copy of a Bill in Chancery of the State of New Jersey, filed by John D Hager complainant against Robert L Stevens and others defendants, March 1817.

Schedule C. Copy of the answer filed by the defendants to the last named bill.

Schedule D. Copy of the replication filed in the same cause."

By reason of which omission and diminution

Wednesday December 5th 1860. Continued.

aforesaid the said Counsel now here moved the Court to award a writ of Certiorari to be directed to the Judges of the Circuit Court of the United States for the District of New Jersey, commanding them that searching the records and proceedings of said Court in this cause, they should certify to this Court under the seal of the said Circuit Court whatever omissions and errors should be found on consideration whereof it is now here ordered and decreed by this Court that a writ of Certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the said Circuit Court, commanding them that searching the records and proceedings aforesaid they forthwith certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found in this cause and return the same with the said writ of error forthwith to this Court.

Ch. Jus. Taney

Wednesday December 4th 1861, continued 1316

Charles G. & H. A. Taylor
vs. plaintiffs in Error.
Mason Minter late Sh'ff

Mr. Bailey
Counsel for the
plaintiffs in Error
moved the Court
to postpone the argument of this cause to
Monday, and that it be argued in conjunc-
tion with that cause when it is reached
On consideration whereof it is now here
ordered by the Court that this cause be
and the same is hereby postponed to Monday
and that the two causes be argued together
when the latter is reached.

Silas P. Dillon &c
vs. plaintiffs in Error.
H. Norton Strong &c.

Mr Rodgers of
Counsel for the plain-
tiffs in Error moved
the Court to post-
pone this cause until tomorrow. On con-
sideration whereof it is now here ordered
by the Court that this cause be and the
same is hereby postponed until tomorrow

Tuesday December 11th 1861 Continued.

The United States vs. Affts. in Error
vs. The Commissioners Thirty &c.

Mr Attorney General Bates of counsel for the aff. pellants moved the Court to postpone this cause to the foot of the docket. On consideration whereof it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket.

The United States vs. pellees
Geo. A. Stewart.

This cause was submitted to the consideration of the Court on the record and printed arguments of Mr Attorney General Bates of counsel for the plaintiffs in error, and of Messrs Morgan & Stewart of counsel for the defendants in error.

The United States vs. pellees
Edwards Le Baron

This cause was submitted to the consideration of the Court on the record and printed arguments of Mr Attorney General Bates of counsel for the plaintiffs in Error

ance of Myers Hargus and Stewart of Counsel for the defendant in error

The United States
8 vs Appeals
James McMasters et al. On the motion of Jno. Attorney Genl Bates of Counsel for the appellees &c. It is now here ordered by the Court that this cause be and the same is hereby postponed.

William Walker et al
9 vs Appeals in Error
The United States. Mr. Attorney Genl Bates of Counsel for the defendants in error moves the Court to postpone this cause to the foot of the docket for consideration whereof it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket.

Lewis McHughes.
11 vs Appeal
The United States. Mr. Attorney Genl Bates of Counsel for the appellees moves the Court to postpone this cause to the foot of the docket, on

Wednesday December 4th 1861. Continued

consideration whereof it is now here ordered by the Court that this Cause be and the same is hereby postponed to the foot of the docket.

Proclamation being made the Court is adjourned until Tomorrow morning at eleven o'clock.

Thursday December 5th 1861. 13 166.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice

James M. Wayne

John Catron } Associate

Robert C. Grier } Justices

Nathan Clifford

Hiram W. Lamar Esquire Marshal

William Thomas Carroll Clerk.

Proclamation being made the Court proceeded

On motion first made to the Court in this behalf by Mr. attorney General Bates it is ordered that Samuel S. Lanckenheimer Esquire of Jefferson City State of Missouri be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

1862 Thursday December 5th 1861, Continued.

On motion first made to the Court in this behalf by Hon E. M. Stanton it is ordered that John F. Kedrick, Esquire of Omaha Territory of Nebraska be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Key, it is ordered that Samuel Blackson, Esquire, of the City of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. A. Babcock, it is ordered that Lorenzo Sherwood, Esquire of the City of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Nehas Sutton &c. The arguments of
10 vs. pltffs in err. this cause were
H. Norton Sheriff &c. commenced by Mr.
Lockwood of Counsel
for the plaintiffs in error, continued by Mr
Hubbard of Counsel for the defendants
in error, and concluded by Mr. Lockwood
for the plaintiffs in error.

Statham Smithson &c. This Cause having
13 vs. pltffs in err been called for ar-
Wm H. Hann. gument and no
Counsel appear-
ing ready to proceed therewith, it is thereupon
now here ordered by the Court that this cause
be and the same is hereby postponed to the
foot of the docket pursuant to the 36th rule
of this Court.

John Quigg &c. This Cause having been
14 vs. pltffs in err called for argument
Robert Forsyth. and no Counsel ap-
pearing ready to
proceed therewith, it is thereupon now here
ordered by the Court that this cause be

and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court

Charles Bauman vs Jeffries Joseph L. Hopkins

15 This cause having been called for argument and no counsel appearing ready to proceed with the same, it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 2nd rule of this Court.

Charles Bauman vs Jeffries. Samuel Hartzell

16 This cause having been called for argument and no counsel appearing ready to proceed with the same it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court.

17 Wm Kellogg's heirs &c vs Jefferson &c. Robert Forsyth. This cause having been called for argument and no counsel appearing may be proceed with the same, it is therefore now here ordered by the Court that this cause be and the same is hereby forfeited to the feet of the docket pursuant to the 26th rule of this Court.

18 John Reynolds &c. vs Jefferson &c. Robert Forsyth. This cause having been called for argument and no counsel appearing may be proceed with the same, it is therefore now here ordered by the Court that this cause be and the same is hereby forfeited to the feet of the docket pursuant to the 26th rule of this Court.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

13171. Friday December 6th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James M Wayne,
John Catron,
Robert C. Grier, J.
Nathan Clifford
Lloyd N. Cameron, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion past made to the Court in this behalf by Mr. Gillet it is ordered that Oliver H. Palmer, Esquire, of Rochester, State of New York and William F. Aldrich Esquire of Palmyra State of New York, be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

On motion just made to the Court in this behalf by Hon. Edwin Stanton it is ordered that James Monroe, Esquire and Amos Andrews, Esquire of New York City and William A. Stark, Esquire of Pittsburgh State of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court and he was sworn accordingly.

On motion just made to the Court in this behalf by Jno. Brockett it is ordered that H. T. Burgess Esquire of Chicago State of Illinois be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion just made to the Court in this behalf by Wm. A. Baldwin, it is ordered that Henry Dufenay, Esquire, of New York City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Thomas Pearce
vs.
Randall G. Higgins

In error to the Circuit Court of the United States for the Eastern District of Arkansas.

23.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and it appearing to this Court here that this is the second term at which this cause has been called for argument and that neither party is now prepared to argue the same - it is considered by the Court that this cause should be dismissed at the costs of the plaintiff in error pursuant to the 16th rule of this Court. Whereupon it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs and that this cause be and the same is hereby remanded to the said Circuit Court in order that the same may be proceeded with according to law and justice.

Jn Mr. Ch. Jus: Taney

Friday December 6th 1861, Continued

Defts of Joseph L. Parish
309 vs pltff in er
Elephant Ferry &c.

On motion of the pltff in er by his counsel and suggesting a diminution of the record in this cause, it is ordered by consent of counsel for the defendants in error that the Exhibits heretofore produced and shown to the court of the final judgment and certificate in the Circuit Court of the United States for the Southern District of Ohio, be made to the record as if upon writ of certiorari issued and duly returned.

Simon Moffatt
86 vs pltff in er.
Maria Josefa Carrizosa

H. Stanbery of counsel for the pltff in error moved the Court to continue this cause to the next term for the reasons set forth in his motion filed this date. On consideration whereof it is now hereupon ordered by the Court that this cause be and the same is hereby continued to the next term

Friday December 6th 1861 Continued

Thomas A. Morgan
186 vs pltffin Err
William H. Lumbar.

Mr Sherwood of counsel for the defendant in error moved the Court to continue this cause to the next term for the reasons set forth in his motion filed this date. On consideration whereof it is now here ordered by this Court that this cause be and the same is hereby Continued to the next term.

The United States
12 vs appts
Samuel J. Hensley.

This cause was argued by Mr. Stanton of counsel for the appellants.

James G. Scotland et al
20. vs pltffs in Er
Thomas Allen.

This cause having been called for argument and no Counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

21	James G. Soulard &al vs. Lewis Clark	This cause having been called for argument the Counsel appearing ready to proceed therewith it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court
22	Maria Josefa Barrazo vs Manuel Barrazo &al.	This cause having been called for argument and the Counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.
26	The United States vs Chas Landeman &al.	This cause was argued by Hon. Stanton of Counsel for the appellants.

Walter Laffin &c
98 vs. Appellt
J. W. Herrington &c

The argument of this cause was commenced by Mr Burgess of Counsel for the appellant and continued by Mr Beckwith of Counsel for the appellees.

Joseph Stevenson &c
33 vs. Appellts
Harvey Baldwin

Mr Baldwin of Counsel for the appellee having filed a suggestion of the death of Joseph Stevenson the appellant since the filing of the appeal herein now here moved the Court for an order to make the proper representatives parties pursuant to the 13th rule of this Court Whereupon the Court not being now here sufficiently advised of and concerning the premises took time to consider.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present,

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron Associate
Samuel Nelson, Justices
Robert C. Grier
Benjamin Curtis
David K. Lemon Esquire, Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Carlisle it is ordered that Wm. Todd Esquire of Washington City District of Columbia be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The United States		Appeal from the Dist
12	vs. Appeal	Court of the United
Samuel J. Hornby		States for the Southern
		District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the petition of the claimant.

Opn. Mr. Just. Grier.

Charles Lafitte		The argument of
28	vs. Appeal	this cause was con-
J. M. Hemmingway.		tinued by Mr Black-
		well of Counsel for

the appellees and concluded by Mr. Ky Johnson of Counsel for the appellant.

William A. Brown
vs Appeal
Samuel R. Curtis
Henry L. Curtis
} Appeal from the Supreme Court of the Territory of Nebraska

958

Mr Redick of counsel for the appellees having filed and read in open court the following Stipulation, to wit:

"William H. Brown
vs Appellant
Samuel R Curtis &
Henry L. Curtis
Appellees
} In Chancery
In the Supreme Court of the Territory of Nebraska.
June Term.

I, J. H. Hilton, Clerk of said Court do hereby certify that this Cause was tried and submitted in said Court, upon the 21st day of June A.D. 1861, a final decree was entered in favor of the appellees. Whereupon the appellant prayed an Appeal to the Supreme Court of the United States, which was duly taken and allowed. I further certify that the aforesaid parties are all the parties to the record in said cause.

In Testimony whereof I have hereunto set my hand and the Seal of the said Supreme Court at Omaha in said Territory this 23d day of November A. D. 1861.

J. K. Kellom, Clerk"

and having stated that the appellant have withdrawn and failed to file the record of said cause in this Court or in any way to prosecute said appeal now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On Consideration whereof it is now here ordered adjudged and decreed by this Court that this appeal from the Supreme Court of the Territory of Nebraska be and the same is hereby docketed and dismissed with costs and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

per Curiam.

259 William Hunt & Co vs Appts John M. Clark Mary B. Clark & George Saunes. Appeal from the Supreme Court of the Territory of Nebraska

Mr Redick of counsel for the appellees having filed and moved to dismiss the following certificate to wit.

"William Hunt Junior In Chancery.
Partner under the firm name & Hunt & Co
vs Appellants In the Supreme
John M Clark Mary B. Court of the Territory of Nebraska.
Clark & George Saunes
Appellees. June Term.

I J. H. Kellom, Clerk of said Court do hereby certify that this cause coming on to be heard and submitted in said Court was on the 21st day of June A. D. 1861, a decree was entered in favor of the appellees whereupon the appellants prayed an appeal to the Supreme Court of the United States which was duly taken and allowed.

I further certify that the appearance

parties are all the parties to the record in said cause.

In testimony whereof I have here unto set my hand and the seal of the said Supreme Court at Omaha in said Territory this 23d day of November A.D. 1861

J. M. Kellom, Clerk"—

And now having stated that the appellants have altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered, adjudged and decreed by this Court that this appeal from the Supreme Court of the Territory of Nebraska be and the same is hereby docketed and dismissed with costs and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding

Per Mr Ch. Jus. Taney.

Andrew R. Orchard, Amanda Orchard his wife & Jas. Stewart
vs. Appeals
John Hughes & Eliza Hughes his wife

Appeal from the Supreme Court of the Territory of Nebraska

260

Mr. Redick of Counsel for the appellees having filed and read in open court the following certificate, to wit:

"John Hughes & Eliza Hughes his wife
vs. Appellees
Andrew R. Orchard, Amanda Orchard his wife & James Stewart
Appellants.

In Chancery
In the Supreme Court of the Territory of Nebraska
Iowa Terrn.

I, J. F. H. Kellom, Clerk of said Court, do hereby certify that this cause was heard and submitted in said Court - and on the 22 day of June A.D. 1861, a final decree was rendered in favor of appellees. Whereupon the appellants prayed an appeal to the Supreme Court of the United States which was duly taken and allowed. I further certify that the aforesaid parties are the parties to the record in said cause

In testimony whereof I have hereunto
set my hand and the seal of the
said Supreme Court at Omaha
in said Territory this 23d day of
November A. D. 1861.

J. H. Kellom, Clerk.

And now, at this day, it is ordered that the appellants
have 40 days granted to file the record of said
cause in this Court or in any way be presented and appear. Now here moved the
Court in pursuance of the 9th rule of this
Court to have this appeal docketed and
dismissed. On Consideration whereof it
is now here ordered, adjudged and decreed
by this Court that this appeal from the Supreme
Court of the Territory of Nebraska be and
the same is hereby docketed and dismissed
with costs, and that this cause be and
the same is hereby remanded to the said
Supreme Court for further proceedings to
be had therein in conformity to law and
justice the said appeal notwithstanding.

Per the Ch. Jus. Taney.

The United States
6 vs. Jeffs in Er.
George A. Thurst

It is now here ordered by the Court that this cause be and the same is hereby continued to the next term

The United States
7 vs. Jeffs in Er.
Charles Le Baron

It is now here ordered by the Court that this cause be and the same is hereby continued to the next term.

Thomas Sweeny [et al owners] of the Steamboat Thomas Sweeny
29 vs Appeals
Michael E. Lucas [et al owners] of the Steamboat Fanny Fern.

Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and it appearing to the Court that no appearance of counsel has been in this cause it is thereupon, pursuant to the 16th rule of this Court now considered, ordered

1857 . Monday, December 6th 1861 Continued

and adjudged by this Court that this Cause be and the same is hereby dismissed with costs, and that this Cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Jn. Dan. Ch. Jus. Taney.

Chancery Docket, & the Same being Moving &c.

vs. Petition

John Goodman Jr. &c.

This cause having been called for argument and no Counsel appearing ready to proceed therewith, It is now hereby ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket for argument to the 26th inst of Court.

Benjamin Russell & ors
31 vs appellts
Nathaniel B. Hoyt, Compt

Nathaniel B. Hoyt Compt.
Appellt
235. vs
Benjamin Russell & ors.

The arguments of this cause were commenced by the hearing of counsel for the complainants and continued by Mr. Hoyer by counsel for the respondents.

Paul Mumford &c
119. vs appellts
Hezekiah Willis, admr &c.

This cause was submitted to the decision of the Court on the record and printed arguments by the hearing of counsel for the appellants and by Mr. Bates of Counsel for the appellee.

Whereupon the Court was adjourned until tomorrow morning at eleven o'clock.

Tuesday December 10th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable Hugh B. Jamy, Chief Justice
James M. Hayne,
John Cahen, } Associate
Samuel Nelson, } Justices.
Robert G Greig
Nathan Clifford

Maria H. Lamon Esquire, Marshal,
William Thomas Lamon Clerk.

Proclamation being made the Court is opened.

On motion of Mr Lamon the Court on this behalf by Hon. Ward Johnson it is ordered that Levi Parsons and Henry Wikoff Esquires of San Francisco State of California and Madison L. Brooks Esquire of Indianapolis State of Indiana be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly.

Tuesday December 11th 1860 Continued 1190

Benjamin Kissam Esq
31 vs Assets
Nathaniel B. Hoggs Exors

Nathaniel B. Hoggs Exors
255 vs. Assets
Benjamin Kissam Esq.

The arguments of this cause was continued by Mr. Evarts for the Defendants and concluded by Mr. Owen for the Complainants.

Edward G. Hilton
39 vs. Assets in &c.
Solomon Davis Esq.

This cause was submitted to the Circuit Court on the record and printed arguments by Wm. C. D. Smith of Counsel for the plaintiff in error, and by Mr Bennett of Counsel for the defendants in error.

Proclamation being made the Court is now journed until tomorrow morning at eleven o'Clock

Monday December 11th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Hon. Roger B. Taney Chief Justice
Samuel M. Wayne,
John Catron, } Associate
Samuel Nelson, } Justices.
Robert C. Grier,
Nathan Clifford

Wm H. Lamon Esqr. Marshal,
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr E. M. Stanton it is ordered that Robert D. McCord Esquire of Pittsburgh State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Charles Bayne
30 vs pltff in er.
Robert F. Morrill.

On the motion of Mr. Brent for the mandate of Consent on the Judgment in this cause it is ordered by the Court that the same be and the same is hereby passed for the present without losing the place on the Calendar.

The City of Alexandria
27 vs pltff in er
The City of St. Louis.

The argument of this cause was commenced by Mr. Bell of Counsel for the plaintiff in error.

James Singleton &c.
184 vs pltff in er.
Gustave Fordhand.

This cause was submitted to the Consideration of the Court on the record & printed argument by Messrs Stanton, McLean Wilkins and Hopkins of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday December 12th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron, } Associate
Samuel Nelson } Justices
Robert C. Grier,
Nathan Clifford

Ward H. Lamon Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr Attorney General Bates it is ordered that Fabian [illegible] Esquire of Washington District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Thursday December 12th 1861 continued

The United States
90 vs. Jefferson
Sylvanus H. Babbitt

On the motion of Mr. Carr of counsel for the defendant in error, and with the consent of the attorney General it is ordered by the Court that the case be assigned together.

The United States
91 vs. Jefferson
Robert Wells

The City of Cincinnati
92 vs. Jefferson
The City of St Louis

The argument of this cause was also moved by Mr. Carr of counsel for the defendant in error.

Proclamation being made the Court is now journed until tomorrow morning at eleven o'clock.

1195. Friday, December 13th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney, Chief Justice.
James M. Wayne,
John Catron,
Samuel Nelson,
Robert C. Grier,
Nathan Clifford.
} Associate Justices.

Isaac H. Lemon, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. B. Hanson it is ordered that Theodore Runyon, Esquire, of Newark State of New Jersey be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

27 The City of Carondelet vs. Pfaff et al. / The City of St. Louis. The argument of this cause was continued by Mr. Shepley of Counsel for the defendant in error and Mr. Ewing of Counsel for the plaintiff in error.

Proclamation being made the Court adjourned until Monday morning at eleven o'clock.

1099. Monday December 16th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
James M. Wayne,
John Catron
Samuel Nelson,
Robert C. Grier,
Nathan Clifford.
Associate Justices.
Henry L. Lomon, Esquire, Marshal,
William Thomas Carroll, Clerk,

Proclamation being made the Court is opened.

Order of Court.

Ordered this sixteenth day of December eighteen hundred and sixty one, that Jeremiah S. Black be and he is hereby appointed Reporter of this Court, and the Clerk is directed to file this order and notify him of his appointment to the office above mentioned.

The Commonwealth of Massachusetts,

3 orig. vs. Compt

The State of Rhode Island and Providence Plantations.

Upon the motion of the Complainants for leave to file a second supplemental Bill in said Cause and of defendant for leave to file an answer to such supplemental bill. It is ordered by the Court here that the said Complainant have leave to file a second supplemental Bill in said Cause, the said defendant appearing and pleading thereto, and that said defendant also have leave to file an answer thereto forthwith

The Commonwealth of Massachusetts

3 orig. vs. Compt. In Equity.

The State of Rhode Island & Providence Plantations.

And now upon this 16th day of December A.D. 1861, the said Commonwealth of Massachusetts by its Counsel the Hon John

C. Cleveland and the Hon Stephen M. Whitney having obtained leave of the Court to file a second supplemental bill in said cause and having filed said bill and the State of Rhode Island and Providence Plantations by its counsel Charles S. Bradley and Thomas A. Jenckes Esqrs having waived notice of the filing of said bill and waived the service of a subpoena thereon, and having obtained leave to file an answer to said second supplemental bill, and having filed the same: and the said cause having been on for final hearing and final decree thereon upon the original and supplemental bills and answers filed by the Complainant and respondent respectively, and upon the report of the engineer heretofore appointed in said cause, under the interlocutory order entered by the Court at the last December Term, A.D. 1860; and the counsel of said parties having appeared and been heard thereon and consented to the entering of a final decree in said cause: and the United States by their Attorney General the Honorable Edward Bates, having also as-

pointed to the entering of such joint decree and it being made to appear to the Court that at the December term of this Court A.D. 1860. by the assent of the Complainant and respondents and of the United States, by their attorney General, one had interlocutory decree, an interlocutory order was duly made and entered of record in this cause the appointing Engineers were ordered to survey, mark out and run the boundary line between said State of Massachusetts and Rhode Island, as described, as contained in the first supplemental bill and as shown thereon filed in said cause, and that said engineers have made their report in pursuance of said decree, and within the time limited thereon, which report is as follows:

Pursuant to an order of the Supreme Court of the United States passed December 1860, a certified copy of which is hereunto annexed, the undersigned engineers appointed under said order respectfully present the following report with plans descriptive of the line between Massachusetts and Rhode Island as surveyed by them and -

formably to said order.

The line surveyed begins at Bound Swamp corner so called in Wrentham in Latitude 42° 01' 08" north longitude 71° 23' 13" west of Greenwich being the Northeasterly corner of Rhode Island. Thence in a Straight line to the centre of a Stone monument in the division line between Attleborough and Pawtucket on the easterly bank of the Blackstone river, being in Latitude 41° 33' 36" north longitude 71° 23' 11" west.

Thence easterly by the northerly line of the town of Pawtucket to a point where said line intersects the highest water mark on the easterly side of Farmer's or Seven mile river, which point is shown on accompanying Sheet marked "A" and designated as Bound No 1 being in Latitude 41° 33' 51" north, longitude 71° 20' 10" west.

From Bound No 1. the line runs southerly, following the highest water mark on easterly side of Farmer's or Seven mile River as designated on said Sheet marked A to its junction to its junction with the highest water mark on the Southerly and

easterly side of Tin Mile River at a point designated as "Bound No 3".

From bound No 3, the line runs Southerly following the highest water mark on the westerly and easterly side of said Tin mile river as shown on sheet marked "A" to a point designated as "Bound No 13", said last bound being at the most southerly bend of Tin mile river in said line of highest water mark.

The line of highest water mark as shown on sheet "A" is defined by offsets at right angles to straight lines shown on said plan in blue ink from bound No 1, over intermediate points designated as bounds numbered 2 to 13 inclusive.

From bound No 13 the line runs southwesterly being a straight line to the centre of a stone pier in the middle of Rumini river on the north side of road leading by Salmon Store

Thence through the centre or middle of Rumini river, as the same is at low water to a point where such line intersects the dividing line between Barrington and Jackson being in latitude 41°46'38" longi-

Lude 71°19'23".

Thence northwesterly following the dividing line between Barrington and Lockeport to a point at the northerly extremity of the dividing line between Barrington & Shag Rock in latitude 43°36'34" longitude 71°19'30".

Thence in a straight line southeasterly to the centre of a copper bolt in Shag Rock so called, and well known, near an ancient monument on said Shag Rock, being on the westerly side of road leading from Barrington to Seawatch. This point is in latitude 43°43'22.98", longitude 71°16'35.75".

From Shag Rock the line follows the dividing line between Barrington and Seawatch to Mt. Hope Bay running in a straight line south westerly to a point on the Birch Swamp Farm in latitude 41°45'08" longitude 71°15'38.5".

Thence in a straight line to mount Hope Bay passing through the centre of a copper bolt in a boulder in line of ordinary high water at Seawatch to a low water line of said bay.

This bolt is in latitude 41°42'45.7", longitude 71°13'34.7".

From Seawatch the line runs southeaster-

by Osprey Pt. Nope Bay to the Westerly end of the line dividing Face River and Tiverton, where the same intersects low water line of said Mt. Hope Bay. Thence easterly following said dividing line between Face River and Tiverton, passing through the middle of a barn way on the north side of farm belonging to Sam Chase and through the southerly end of Cooks Pond to a line passing through the middle of a highway eight rods wide.

Thence running southerly through the middle of said eight rod highway to a point in line with the Stonewall on northerly side of farm of Edward Allen. Thence westerly along the Stafford road so called.

Thence running easterly in line with said wall to a point in line of highest water mark on the westerly shore of South Watuppa Pond, which point is shown on accompanying sheet marked B and designated as Bound A.

From Bound A the line runs southerly following the highest water mark on westerly side of South Watuppa Pond.

and of Sawdy pond and of the streams connecting said ponds as shown on said sheet number "3" to point designated as Bound "A" said last point being at the most South erly end of Sawdy pond in said line of highest water mark. The line of highest water mark as shown on Sheet "B" is determined by offsets at right angles to straight lines from Bound "A" and passing respectively through points designated "1" to "7" inclusive: one on South Matagamon pond is also the line that would be traced by a level thirteen (13) inches above a bolt in stone work on westerly side of water way on gate house of reservoir dam of Matagamon Reservoir &c. on Penobscot river. On Sawdy pond the highest water mark is the line that would be traced by the level of an iron bolt driven in west side of stump to one mile at northerly end of said Sawdy pond.

From Bound "A" the line runs southeasterly, being a straight line to the monument known as "the Sandford's bound" being the centre of a copper bolt in stone on

land of Joseph Bishop, and is in latitude 41°33'34" longitude 71°08'13"

From the Sandpeds bound the line runs Southerly following the existing line of the town of Westport to the Cotton Mill Dam passing easterly of Quicksand pond, through the centre of bound known as Naked Rock situated in latitude 41°29'58", longitude 71°07'30".

The first point in this line southerly of Sandpeds bound is on the north side of said dam at Adamsville 3338 feet easterly by straight line from Sandpeds bound Naked Rock.

The second is 1134.4 feet easterly of said Straight line and is on the easterly side of road leading from Adamsville to the Ocean

The third is 2310.18 feet east of said Straight line on the road leading to Levi Tompkins by Phillip Simmons house

The whole of the line thus described is shown on a plan herewith presented which with sketches "A" and "B." is made a part of this report and attested by the undersigned.

In defining the line above described the undersigned have fixed such convenient points of reference in the vicinity of the several points in the boundary line as will enable them to exactly determine and place permanent bounds at said last named points should the Court decree the same to be done.

Whenever permanent monuments shall be erected they would also respectfully recommend that a detailed description of the position of each monument should be filed both in Massachusetts and Rhode Island: also that permanent monuments be set to define the land established for highest water mark of South Watuppa and Sawdy Ponds.

Ezra Lincoln.
Sam'l B Cushing.

And it was also made to appear to said Court that after the filing of said report the Clerk of this Court gave the notice required by said interlocutory order, and that no municipalities, corporations,

or persons having interests to be affected by a final decree in said cause have applied for leave to intervene and to file exceptions to said report and objections to a final decree of this Court in conformity with said report and that no exceptions to said report or objections to a final decree in conformation thereof have been filed by the parties to said suit or by the United States intervening therein; and the said parties, complainant and defendants respectively, and the United States by their Attorney General, appearing and assenting thereto:

It is ordered, adjudged and decreed that the report of said engineers be and the same is hereby accepted and confirmed by this Court and that the line therein marked out and defined and delineated on the maps returned therewith be and the same is declared to be the true boundary line of said States on the eastern boundary of said State of Rhode Island from the monument at Burnt Swamp Corner, so called, at the northeast

ment of said State of Rhode Island South-
wardly to the sea.

And it is further ordered, adjudged
and decreed that the State of Rhode
Island and Providence Plantations be
and hereby is perpetually enjoined and re-
strained from exercising jurisdiction
eastwardly of said line, and that the said
Commonwealth of Massachusetts be and
hereby is perpetually enjoined and restrain-
ed from exercising jurisdiction westwardly
of said line herein as aforesaid established
as the boundary line between said States.

And it is further ordered that perma-
nent stone monuments shall be erected
at the termini of said line and at each
angle in the same.

And it is further ordered adjudged and
decreed that the costs of this suit and all
costs incident to establishing and mark-
ing said line of boundary, and all other
costs and charges of every description
shall be paid by the States of Massachu-
setts and Rhode Island equally and upon
the taxation and certificate of the Clerk

of this Court during the present Term.

And it is further ordered and decreed that this decree shall take effect on the first day of March A.D. 1862.

Jr. Dec. Ch. for. Jany

John K. Hagan
vs Appt
John C. Thomson Jar.

32

The argument of this Cause was commenced by Mr. Lawson of Counsel for the appellant

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday, December 17th 1861.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne,
John Catron — Associate
Samuel Nelson, — Justices.
Robert C. Grier,
Nathan Clifford

Wm H. Lamon Esquire, Marshal,
William Thomas Carroll, Esquire.

Proclamation being made the Court is opened.

Jeremiah S. Black, Esquire being appointed Reporter of the decisions of the Supreme Court of the United States under the act of Congress of 26th of August, 1842, took in open Court the following oath of office:

"I do solemnly swear that I will faithfully and impartially discharge and perform all the duties of my said office according to the best of my abilities and understanding and that I will support the Constitution of the United States: so

help me God :- and thereupon entered upon the discharge of his duties.

On motion first made to the Court in this behalf by Hon J. S. Black, it is ordered that Benjamin Grant Esqr. of Erie, State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he is sworn accordingly.

John K. Hugus
vs. Appl
John R. Thomson jr.

The argument of this Cause was Continued by Mr. J. P. Bradley & Counsel for the respectives.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday December 18th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice.
James M. Wayne,
John Catron, Associate
Samuel Nelson, Justices.
Robert C. Grier
Nathan Clifford.
Lloyd N. Lamon, Esquire, Marshal.
William Thomas Carroll Clerk.

Proclamation having been made the Court is opened.

On motion just made to the Court in this behalf by Henry Johnson it is ordered that Edmund L. Keene, Esquire, of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Wednesday December 18th 1861 Continued 132 m.

On motion first made to the Court in this behalf by Mr. J. F. Bradley, it is ordered that James Emory Moore, Esquire of New York City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

John D. Hager
vs Appt
John R. Thomson Jun.

32

The argument of this cause was continued by Mr. J. F. Bradley of counsel for the appellant, and by Mr. Henry Johnson of counsel for the appellee

Whereupon it is ordered by the Court that the further hearing of this cause be postponed until tomorrow morning at ten o'clock

1295. Thursday, December 19th 1861.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney, Chief Justice
James M. Wayne,
Samuel Nelson, } Associate
Robert C. Grier, } Justices.
Nathan Clifford.
Ward H. Lamon, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

John L. Hayes
32 vs Appeal
John R. Thomson et al

The argument of this cause was concluded by Mr. Kennedy & Johnson of counsel for the appellant.

Richard H. Rice et al
33 vs Appeal
Maurice Birdsall.

This cause having been called for argument and no counsel appearing ready to proceed therewith, It is now here ordered by the Court that this cause

be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

Casper Strong
35 vs. Petition
The United States.

This cause having been called for argument and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court

Thomas H. Newell, &c
36 vs. Appl
Alexander Norton.

This cause having been called for argument, and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

Tuesday, December 19th 1861, Continued.

Thomas H. Nevels
vs. Pltffs
William Nevin

This cause having been called for argument and no counsel appearing ready to proceed with the same, It is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

The Southern Steam Ship Co. of New Orleans
vs. Pltffs in Er.
The Master Wardens of the Port of New Orleans

This cause having been called for argument and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this Cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

Thursday December 19th 1861, continued 15218.

John S. Sayle, admr. of Wm R. Lamon dec'd
vs
Charles L. Wallace.

The argument of this cause was commenced by the Counsel for the plaintiff in error, continued by Messrs Cox and Carlisle of Counsel for the defendant in error, and Concluded by Mr. Thomas for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning eleven o'clock.

1 15219

Friday, December 20th 1861.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
James M. Wayne,
Samuel Nelson, Associate
Robert C. Grier, Justices
Nathan Clifford.

Wm H. Lamon, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. M. Stanton it is ordered that Horace S. Riggs, Esquire of New York city, and David A. Wilcox Esquire of Syracuse State of New York be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly.

Friday December 20th 1861, Continued

On motion first made to the Court in this behalf by Hon. J. S. Black it is ordered that James F. Shunk, Esquire of York, State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Mr. Chief Justice Taney gave notice to the Bar that on next Tuesday the 24th inst. the Court would adjourn over to Monday the 30th instant and that motions should have the preference on that day.

Myra Clark Gaines
vs. Appeal
Edward S. Herman

16 D. C. 1860

In this case it appearing by the record that upon the return of the appellant's counsel, the Presiding Judge being the District Judge in the absence of the Associate Justice of this Court, ordered that certain original papers and documents specified in the said order should be transmitted to be inspected in this Court on the appeal and in conformity with the 8th rule of this

Friday December 20th 1861, Continued.

Court did make an order for the safe keeping transporting and return of the same, directing that they should be delivered to the said Appellants Counsel for that purpose: And now at the December Term 1861 of this Court, on this 20th day of December, on motion of Mr Carlisle, of Counsel for the said Appellant, ordered that the same original papers and documents so specified and enumerated in the Return be redelivered to the Complainant or her Counsel, to be returned to the Court below the Clerk of this Court taking a receipted schedule thereof on delivering the same.

Wm Glasgow jr & al. vs Plffs in Er
John B. Hertz.

This cause having been called for argument and the indisposition of Mr Bates Counsel for the plaintiffs in error having been suggested to the Court, It is thereupon and with the assent of Mr Bell of Counsel for the defendant in error, now here ordered by the Court that this cause be and the

same is hereby postponed for the present

Wm Glasgow Jr. & al. vs Jeffries & Charles J. Benjamin

112 This cause having been called for argument and the consideration of Mr. Bates Counsel for the plaintiffs in error having been suggested to the Court. It is thereupon and with the assent of Mr. Hill of Counsel for the defendants in error, now here ordered by the Court that this cause be and the same is hereby postponed for the present.

Wm Glasgow Jr. & al. vs Jeffries & Elyear Blanchard.

113 This cause having been called for argument and the consideration of Mr Bates Counsel for the plaintiff in error having been suggested to the Court, It is thereupon and with the assent of Mr. Hill of Counsel for the defendants in error, now here ordered by the Court that this cause be and the same is hereby postponed for the present.

Wm Glasgow jr. ux. vs. Pltffs in Err.
John Hogan. Defts in Err.

This cause having been called for argument and the indisposition of Wm. Bates counsel for the plaintiffs in Error having been suggested to the Court. It is thereupon ordered with the assent of Wm. Bell of counsel for the defendant in error, now here ordered by the Court that this cause be and the same is hereby postponed for the present.

Wm Glasgow jr. ux. vs. Pltffs in Err.
James A. Hardy. Defts in Err.

This cause having been called for argument and the indisposition of Wm. Bates counsel for the plaintiffs in error having been suggested to the Court, it is thereupon ordered with the assent of Wm Bell of counsel for the defendant in error, now here ordered by the Court that this cause be and the same is hereby postponed for the present.

Wm Glasgow Jr. Esq. vs. Pltffs in Ca. Christopher C. McLane

116 This Cause having been called for argument and the indisposition of Mr. Cox, Counsel for the defendants in Error having been suggested to the Court. It is thereupon ordered with the assent of Counsel for the defendants in Error now here entered by the Court that this Cause be and the same is hereby postponed for the present.

Henry A. Kehn et al. vs. Pltffs in Er. Levi J. Hunn.

118 This Cause having been called for argument and no Counsel appearing ready to proceed therewith, It is now here ordered by the Court that this Cause be and the same is hereby postponed to the first day of the docket pursuant to the 36th rule of this Court.

Friday December 20th 1861, Continued.

The Att. Gen'l of the Commonwealth of Mass.ts
vs
The Proprietors of Meeting house in Federal Street &c.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Curtis of counsel for the plaintiff in error and by Mr Bartlett of counsel for the defendants in Error.

The United States
vs
Jose Jesus Martinez.

Appeal from the District Court of the United States for the Southern District of California.

Mr Sandidand of counsel for the appellees having filed and read in open court the following certified copy of the decree of the District Court of the United States for the Southern District of California in this cause and the following certificate of the Clerk of the said Court, to wit:

"In the District Court of the United States for the Southern District of California

José Jesús Noriega et al Appellants } No 302
vs. } Los Angeles
The United States Appellees. } Transcript &c

This cause coming on to be heard on appeal from the final decision of the United States Board of Land Commissioners to ascertain and settle the private land claims in the State of California under and by virtue of Congress approved March 3d 1851, on a transcript of the proceedings and decision of said Board and of the papers and evidence upon which said decision was rendered and it appearing to the Court that said transcript and the notice of appeal have been duly filed according to law and rules of the Court and the respective parties having been heard.

It is ordered, adjudged and decreed, that the decision of said Board of Commissioners be and the same hereby is in all things affirmed.

And it is further adjudged and decreed that the claim of the appellants José Jesús Morillo and Maria Diega Noriega, his wife is good and valid in right of the

said wife, and the same is hereby confirmed to her as follows;

The lands of which confirmation is hereby made are one undivided half of the tract called "Las Bolsas," situate in the County of San Diego, said tract of Las Bolsas being a part of the lands originally granted to Manuel Nieto by Governor Pedro Fages in or about the year 1784, and which said grant was recognized and confirmed by the Mexican Government by the decree of date July 2nd, 1833, made by Governor José Figueroa on the petition of Luciano Argüello made on behalf of the heirs of said Manuel Nieto, and by the Grant of date May 22nd 1834, issued by said Governor Figueroa to Catarina Ruiz, widow of José Antonio Nieto is now of said Manuel Nieto. Reference for the boundaries of said tract of "Las Bolsas" being had to the said Petition of Luciano Argüello and to the map accompanying the same contained in the expediente filed in this case, to wit: On the South the Sea, on the West the lands called "Los Nimetos," on

the north the lands within Los Angeles and the tract solicited by Dn. Fabricio Ontiveros and on the East by the Rio of Santa Ana, as the same are at the date of said Petition.

Thus done and signed in open Court this 17th February 1857.

Isaac S. K. Ogier
U. S. Dist Judge for the
S. Dist of California "

"United States of America
South. Distrct of California } ss.

I Gustavus L. Mix Clerk of the Judicial Court of the United States for the Southern District of California, hereby certify the above and foregoing to be a full, true and correct copy of the original decree rendered in this cause by said Court as the same appears on file and of record in my office

In Testimony whereof I have hereunto set my hand and affixed the seal of said Court this the first day of Febru

ry, A.D. 1861,

S. P. Hix, Clk
per John C. Wheeler, Dpty"

In the United States District Court for the
Southern District of California
José Justo Morillo et al.
vs Appellants No 302
The United States, appellees.

I, Gustavus
S Hix Clerk of the United States District
Court for the Southern Dist. of California, hereby
certify that the above entitled cause was
decided and a decree rendered therein in
said Court on the 17th day of February A.D.
1857 and that thereafter, to wit, on the 24th day
of February A.D. 1857, said Court made an
order granting an appeal to the Supreme
Court of the United States, to the United States

And I further certify that no bond
or other proceedings on the Appeal
in said cause has been taken and
perfected nor has the same been argued.
That no order made or proceedings had
concerning said appeal.

In witness whereof I have hereunto set my hand & affixed the seal of said Court this the 1st day of February A.D. 1862.

S.D. Mills Clk
pr. John C. Wheeler, Dep.

And having stated that the appellants has altogether failed to file the record of said cause in this Court in any way by, now said said appeal, now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered, adjudged and decreed by this Court that this appeal from the District Court of the United States for the Southern District of California be and the same is hereby docketed and dismissed and that this cause be and the same is hereby remanded to the said District Court with further proceedings to be had therein in conformity to law & justice the said appeal not withstanding.

pr. Curr. Ch. Jas. Yancey

Friday December 20th 1867 Continued

The United States
vs
Charles M. Tiber.

Appeal from the District Court of the United States for the Northern District of California.

Mr. Blandchie of counsel for the appellee having filed an affidavit together with a transcript of the record of this cause duly certified by the Clerk under the seal of the District Court of the United States for the Northern District of California and having stated that the affidavits had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal now here moved the Court in the manner of the 6th rule of this Court to have this appeal docketed and dismissed.

On consideration whereof it is now here ordered, adjudged and decreed by this Court that this appeal from the District Court of the United States for the Northern District of California be and the same is hereby docketed and dismissed and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in confor-

nity to law and justice the said appellees
notwithstanding.

Pr. Mr. Chf. Jus. Taney

Ordinance N. Clark
vs. Appl
Wm H. H. Hackett

67

The petition of Com-
sel for the appellant
having been read and con-
in open Court in sug-
gestion of a diminution of the record in this
cause in the words and figures following to wit:

"Copies of the proofs and exhibits
to be the signed depositions used on the
trial of this cause in said Circuit Court
the same being necessary to the hearing thereof
in this Court."

By reason of which omissions and errors
aforesaid the said appellant now has moved
the Court to award a writ of certiorari to
be directed to the judges of the Circuit Court
of the United States for the District of New York
shire commanding them that searching the
records and proceedings of said Court in
this cause they shall certify to this Court
under the seal of the said Circuit Court what
ever omissions and errors shall be found—

Friday, December 20th 1861, Continued.

On consideration whereof it is now here ordered by this Court that this motion be set down for hearing on some future motion day one of which the said counsel must give due notice to the opposite party or his Counsel.

The United States
vs
Wm Knights et al.

The argument of this cause was commenced by Mr. Shunk of Counsel for the appellants and continued by Mr. Sumner of Counsel for the appellees.

Proclamation being made the Court adjourned until Monday morning at eleven o'clock.

Monday December 23d 1861.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier
Nathan Clifford
Wm. A. Fenner Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

Silas F. Dutton and
Cyrus Hamlin
- vs -
H. Norton Strong &
William H. Goodnow

In error to the District Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin and was argued by counsel. On consideration whereof

it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby reversed annulled with costs, and that this cause be and the same is hereby remanded to the said District Court with directions to award a venire facias de novo.

Per Mr. Justice Clifford.

Nathaniel B. Hogg
vs. Appl
Benjamin Ruffner and
The State Bank of Indiana
The Fort Wayne & Chicago
Railroad Company.

On appeal of
Nathaniel B. Hogg
from the Circuit
Court of the United
States for the Dist.
trict of Indiana.

This cause came on to be heard on the transcript of the record on appeal of Nathaniel B. Hogg from the Circuit Court of the United States for the District of Indiana and was argued by counsel. On consideration whereof it is the opinion of this Court that so much of the decree of the said Circuit Court as is affected by the assump-

tion that the Contract was entire, is pronounced. Whereupon it is now here considered ordered and decreed by this Court that the said decree be and the same is hereby reversed with costs and that this Cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court and such law and justice may appertain.

Jn. Mc Lean

Benjamin Hughes et al, The State Bank of Indiana & the Fort Wayne and Chicago Railroad Company

vs.

Nathaniel B. Hoag.

On appeal of Benjamin Hughes et al from the Circuit Court of the United States for the District of Indiana

31

This Cause came on to be heard on the transcript of the record on an appeal of Benjamin Hughes et al from the Circuit Court of the United States for the District of Indiana and was argued by Counsel On consideration whereof it is now here

entered adjudged and decreed by this Court that the appeal of Benjamin Huff and others, be and the same is hereby dismissed with costs,

per Mr. Jus. Grier

Edmund G. Miles
vs. Pltffs in Er.
Solomon Davis &
Joseph Burton.

In error to the Circuit
39 Court of the United
States for the Northern
District of Illinois.

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel On Consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this Cause be and the same is hereby reversed with costs and that this Cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr. Jus. Nelson.

The United States
26 vs Appts
Charles Covillaud & al.

Appeal from the
District Court of the
United States for the
Northern District of
California.

This cause came on to be heard
on the transcript of the record from the Dis-
trict Court of the United States for the North-
ern District of California and was argued
by counsel On consideration whereof
it is now here ordered, adjudged and decreed
by this Court that the decree of the said
District Court in this cause be and the
same is hereby reversed and that this
cause be and the same is hereby remanded
to the said District Court with directions
to dismiss the petition of the claimants.
per Mr. Justice Catron

Paul Sears & al. Libts
49 vs. Appts
Rufus Hillis & Ors of
Augustine Hillis dec'd Clmts of
4.585 bags of Linseed, &c.

Appeal from the
Circuit Court of
the United States
for the District
of Massachusetts.

This Cause

came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

Jno. Mc. Ch. Jus. Taney

Samuel A. Graham for the use &c. Appts
vs.
John Hughes &c. Appee.

Appeal from the Supreme Court of the Territory of Nebraska.

964

On consideration of the motion of Mr. Black of Counsel for the appellants it is ordered that the decree of this Court be here in this cause on a future day of the term to wit, on Monday the 9th of December dismissing this appeal with costs, and for leave to file the record and docket the cause. And now here came, adjudged and decreed by this Court that said decree be and the same

is hereby reexamined and amended upon the application having the same given and the cause docketed in conformity to the rules of this Court.

per Curiam Ch. Jus. Taney

The United States
vs. Appeals
Wm Knights admrs

The argument of this Cause was commenced by the Solicitor General for the Appellees and by Mr. Brent of Counsel for the Appellants.

Proclamation being made the Court adjourned until tomorrow morning at eleven o'clock.

Thursday December 26th 1861.

Pursuant to adjournment the Court
met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice.
James M. Wayne,
John Catron,
Samuel Nelson,
Robert C. Grier,
Nathan Clifford.
} Associate Justices

Wm H. Lamon Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Chief it is ordered that J. H. Menzies Esquire of Covington, State of Kentucky be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Hon. O. H. Browning it is ordered that W. C. Goudy Esquire of Chicago State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr Attorney General Bates it is ordered that H. A. Gant, Esquire of Salem State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

William C. Lewis
Pltff in Error
68
George R. Parish

In error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and on the motion of Mr Attorney General Bates of Counsel for the plaintiff in error, it is

13243 Tuesday December 2nd 1861 Continued.

now this considered, ordered and adjudged by this Court that this writ of error be and the same is hereby dismissed with costs.

per Mr. Ch. Jus: Taney

Joseph B. Baker
by &c Pltff in Er.
George L. Leach

In error to the Circuit Court of the United States for the Eastern District of Pennsylvania

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and on the motion of Mr Attorney General Bates of Counsel for the plaintiff in error; It is now here considered, ordered and adjudged by this Court that this writ of error be and the same is hereby dismissed with costs.

per Mr Ch. Jus. Taney

Francis A. Hamberg
Claim of the Brig
Jocosa & Cargo.
vs Appl.
The United States.

Appeal from the
District Court of
the United States
for the Southern Dist.
Dist of Florida.

2078

Mr Attorney General Baker of
Counsel for the appellees having filed com
mand in open Court the following mis-
cate, to wit:

"District Court of the United States
Southern District of Florida
The United States
vs
The Brig Jocosa and Cargo } Seizure
Francis A. Hamberg, Claimant

I, George D. Acton, Clerk of the said
Court, do hereby certify that on the tenth day
of January in the year one thousand, eight
hundred and sixty one, a final decree
of Condemnation in favor of the United States
was pronounced in this cause by said Court
and that on the pronouncing and entry of
said decree the Claimant prayed an appeal

Tuesday December 24th 1861 Continued

to the Supreme Court of the United States, which was duly allowed by the Court and a bond for costs subsequently given

In Testimony whereof I have hereunto set my hand and the Seal of said Court at Key West this ninth day of November 1861.

George D Allen, Clerk

And now having stated that the appellants have altogether failed to file the record of said cause in this Court or in any way to prosecute said now here moved the Court in consideration of the premises of this cause to have this appeal dismissed and dismissed On consideration whereof it is now here ordered, adjudged and decreed by this Court that this appeal from this District Court of the United States for the Southern District of Florida be and the same is hereby dismissed and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and

Thursday December 24th 1863 Continued. 15206.

Jessie the Same appearing as heretofore.
Jno. Mendenhall Jessie Same

The United States
vs
Wm Knaggs et al

The defendants
this cause was
continued by
Jno. Black & counsel
for the defendants.

Proclamation being made the Court is adjourned
until Monday next at eleven o'clock.

Monday December 30th 1861.

Pursuant to adjournment the Court met this morning at the Capitol,

Present

The Honorable James M. Wayne
John Catron, } Associate
Samuel Nelson, } Justices.
Robert C. Grier, &
Nathan Clifford.

Lloyd N. Lamon, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Reverdy Johnson it is ordered that Henry L. S. Coxe of Boston State of Massachusetts be admitted to practice as an Attorney and Counsellor of this Court and he took the oaths accordingly.

On motion first made to the Court in this behalf by Hon. E. H. Hooker it is ordered that Wm H. H. Hooker Esquire of Portsmouth, State of New Hampshire, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ballance, it is ordered that E. C. Ingersoll, Esquire, of Peoria State of Illinois be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Mr. Justice Wayne announced to the Bar that all motions were postponed to next motion day.

Virgil H. Rogers for
51 vs. Appts
Joseph E. Sims

The argument of this cause was commenced by Mr. Campbell of Counsel for the appellants & continued by Mr. Brent of Counsel for the appellees.

Proclamation being made by Court it adjourned until tomorrow morning at eleven o'clock

1 132 116

Tuesday December 31st 1861.

Pursuant to adjournment the Court met this morning at the Capitol

Present,

The Honorable James M. Wayne
John Catron,
Samuel Nelson } Associate
Robert C. Grier } Justices
Nathan Clifford

Ward H Lamon, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

31 Wm. S. Rogers &c } vs } Joseph E. Lee. Appls

The argument of this cause was continued by Mr. Bray of counsel for the appellee, and concluded by Mr. Campbell for the appellants.

Proclamation being made the Court is adjourned until Thursday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne,
John Catron, Associate
Samuel Nelson, Justices.
Robert C. Grier,
Nathan Clifford

Wood H Lawson Esqr. Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

Wm Glasgow Jr. Esqr. On the motion of Wm.
vs Glasgow Jr. Esqr. for leave to amend his
John D. Hartig plea in this cause by the
annexed the copy of
of an Act of Congress for the disposal
in case. It is now here ordered by the
Court that this cause be and the same
is hereby set down for argument on
next Thursday the 9th instant

Moss Kimball qui
52 vs. Plff in er.
Oliver Jones & al. This cause hav
ing been called
for argument and
no Counsel appear
ing may be proceed therewith it is now
hereordered by the Court that this cause
be and the same is hereby postponed to
the foot of the docket pursuant to the
26th June of Court.

Jos. fr Ellman qui.
53. vs. Apfelts
Harvey Baldwin. This cause having
been called for ar-
gument and no
Counsel appearing
may be proceed therewith, it is now here
ordered by the Court that this cause be and
the same is hereby postponed to the foot
of the docket pursuant to the 21st rule of
Court.

Wilson Sum
54 vs. Plff in er
Wm Robinson use &c. This cause having
been called for argu-
ment and no Counsel
appearing ready to pro
ceed therewith, it is now here ordered by

the Court that this Cause be and the Same is hereby postponed to the next of the Court pursuant to the 26th rule of Court

John L. Green		This cause having been called for argument and no counsel appearing ready to proceed therewith it is now here ordered by the Court that said cause be and the same is hereby postponed to the next of the docket for argument pursuant to the 26th rule of Court.
55	vs	
Henry Shelton & ano		
Roger C. Weightman		The argument of this cause was commenced by Mr. J. H. Bradley of Counsel for the plaintiff in error, continued by Mr. Carroll of Counsel for the defendants in error and concluded by Mr. Carlisle of Counsel for the plaintiff in error.
56	vs	
Corporation of Washington		

Thursday, January 2d 1862 - Continued

Wm. I Moss dec.
vs
Edward Chase.

On the motion of Mr. Linton of counsel for the plaintiff in error it is now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket.

Richard Gregg
vs
Edward S. Tyson.

This cause was argued by Mr. Ballance of counsel for the plaintiff in error and submitted on printed arguments by Mr. Ballance and by Mr. Leigh of counsel for the defendant in error.

Prayer taken being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Noyes D. Long Chief Justice.
James M. Hayne
John Cochran Associate
Samuel Nelson Justices
Robert C. Grier
Nathan Clifford

Hiram H. Lamson Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon C. H. Downing it is ordered that George W. Burkhart Esquire of Council Bluffs State of Iowa be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

13235. Friday, January 3rd 1862 Continued.

On motion first made to the Court in this behalf by Hon. Wm. Johnson it is ordered that John H. Whiting Esquire of New York City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The Trustees of the Wabash & Erie Canal vs Appeals Joseph E. Beers

The motion to dismiss this appeal for the want of an undertaking filed by Mr. Gillet on the 16th of December last was argued by him in support thereof and by Mr. Usher in opposition thereto whereupon this Court not being now sufficiently advised of and concerning whether to render the premises took time to consider.

1196

Edward McLaughlin vs Appeals Amos Dean et al.

Mr. J. M. Campbell for the plaintiffs in error moved the Court to dismiss this writ of error because it was not filed and docketed in this Court during the term to

which it was returnable: Whereupon it is now here ordered by the Court that this motion be and the same is hereby set down for argument on next Friday the 10th instant, and also that the said counsel give notice of said motion to the counsel of the opposite party.

Ferdinand N. Clark vs. Appeal Wm. H. H. Hackett. 67

The motion of Mr. Black for a writ of certiorari filed in this Case on the 20th ultimo was argued by him in support thereof and by Mr. Hackett in opposition thereto. On Consideration whereof it is now here ordered by the Court that the writ of certiorari prayed for be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the same Circuit Court commanding them that forthwith searching the records and proceedings aforesaid they forthwith certify to this Court under the seal of the said Circuit Court whether omissions and errors shall be found in this cause and return the same with the said

Friday, January 3d 1862. Continued

writ of certiorari forthwith to this Court.

Opn Mr. Ch. Jus. Taney.

The United States
vs. Appts
Julian Herbman.

Appeal from the District Court of the United States for the Southern District of California.

Mr Carlisle of Counsel for the appellee having filed and read in open Court the following order granting an appeal and the following certificate in the words and figures following to wit:

In the District Court of the United States for the Southern District of California

December Term 1860

Monday, April 15th 1861.

Present

Hon Isaac S. K. Ogier U. S. Dist Judge

Julian Herbman

vs Appellee No. 345

The United States, Appt.

In the matter of Appeal

On motion of S. H. Gibbons, U. S. District attorney for the Southern District of California

It is ordered that an Appeal be

granted to the Supreme Court of the United States from the order and decree of this Court made April 1st A.D. 1861, Confirming the Land claimed in this case to the applicants herein.

Isaac S. K. Ogier
U.S. Dist Judge for the Southern
Dist. of California

United States of America
Southern Dist. of California

I, G. L. Mix, Clerk of the United States District Court in and for the Southern District of California do hereby certify that the above and foregoing is a true and correct Copy of the original order made in Case No 345 of the Docket of said Court, on the Fifteenth day of April A.D. 1861 as the same remains on file and of record in my office

In Witness Whereof I have hereunto set my hand & affixed the Seal of said Court, on this Fourth day of November A.D. 1861.

G. L. Mix Clerk "

Friday, January 3rd 1862 Continued.

and having stated that the applicants had altogether failed to put the record of said cause in this Court in any way to present said application now have moved the Court in pursuance of the 9th rule of this Court to have this application docketed and dismissed - The Consideration whereof it is now here ordered adjudged and decreed by this Court that this appeal from the District Court of the United States for the Southern District of California be and the same is hereby docketed and dismissed and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

per Curiam. Ch. Jus Taney

The United States Appeal from the
981 vs Appeals District Court of the
E. Sanchez de Peli. United States for the
Southern District of
California.

Mr Carlisle of Counsel for the appellee having filed and read in open Court the following order granting an appeal and the following certificate in the words and figures following to wit.

"In the District Court of the United States for the Southern District of California

December Term 1860

Monday, April 15th 1861

Present:

Hon Isaac S. K. Ogier Dist. Judge

E. Sancho, de Peli

vs Appeals No 318.

The United States, Appellee.

In the Matter of Appeal.

On motion of J. A. Lathrop U. S. District Attorney for the Southern Dist. of California.

It is ordered that an Appeal be granted to the Supreme Court of the United States from the Order and decree of this Court made

Friday January 3d 1862 Continued

April 1st A.D. 1861. confirming the lands claimed in this case to the aforesaid heirs

Isaac S.K. Ogier
U.S. Dist Judge for the
South'n Dist. of Cal.

United States of America
South'n Dist of California.

I J. L. Mier
Clerk of the United States Dist. Court in and for the Southern District of California do hereby certify that the above and foregoing is a full true and correct copy of the original order made in Case No 318 on the docket of said Court on the fifteenth day of April A.D. 1861, as the same appears on file & of record in my office.

In Witness whereof I have hereunto set my hand and affixed the seal of this said Court, on this Fourth day of November A.D. 1861.

J. L. Mier. Clerk."

— And having stated that the appellants had altogether failed to file the record of

said cause in this Court it is ordered
to process said appeal according to law
the Court in pursuance of the statute
this Court to hear this appeal doth not
and dismissed. On consideration
of it is now here ordered, adjudged and
decreed by this Court that the appeal
from the District Court of the United States
for the Southern District of California be
and the same is hereby dismissed and
dismissed, and that this cause be re-
the same is hereby remanded to the said
District Court for further proceedings to be
had therein in conformity to law and just
this the said appeal notwithstanding.

Jno. Mn. Clk. Jus. Nancy.

The United States } Appeal from the Dist
vs } Apptls Court of the United
H. B. Jones States for the Southern
District of California

752

Mr. Carlisle of Counsel for the appe
Justice having fled and read in open
Court the following order granting an
appeal and the following certificate

Friday January 3d 1862 Continued.

in the words and figures following to wit

"In the United States District Court in
& for the Southern District of California.

December Term, A. D. 1860.

Monday, April 15th 1861.

Present:

Hon Isaac N. Ogier U. S. Dist Judge
W. C. Jones, Appellee

vs. No. 339

The United States, appts.

In the matter of Appeal.

On motion of J. R. Sebastian, U. S. District Attorney for the Southern District of California.

It is ordered that an appeal be granted to the Supreme Court of the United States from the order and decree of this Court made April 1st A. D. 1861, confirming the land claimed in this to the appellee herein.

Isaac N. Ogier
U. S. Dist Judge for the Southern
Dist of California

United States of America
Southern Dist. of California

I, L. L. Mix,
Clerk of the United States District Court in
and for the Southern District of California
do hereby certify that the above and fore
going is a full true and correct copy of
the original order made in Case No. 339 of
the Docket of said Court on the Fifteenth
day of April A.D. 1861. and the same appears
on file and of record in my office.

In witness Whereof I have hereunto set my hand & affixed the
seal of said Court on this the
Fourth day of November A.D. 1861
L. L. Mix, Clerk."

-and having stated that the appellants
had altogether failed to file the record of
said cause in this Court or in any way
to prosecute said appeal now here moves
the Court in pursuance of the 9th rule of
this Court, to have this appeal docketed
and dismissed - On consideration whereof, it is now here ordered, adjudged and

Friday:- January 3d 1862. Continued.

Ordered by this Court that this appeal from the District Court of the United States for the Southern District of California be and the same is hereby dismissed and dismissed, and that this Cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice, the said appeal notwithstanding

Jr. nn. Ch. Jus. Taney

Clark Chamberlain
vs. Appl.
Newcomb Cleveland.

126

Mr Whiting moved the Court to dismiss this cause for the reasons set forth in his written motion filed this date:- Whereupon it is now here ordered by the Court that this motion be set down for argument on next Friday the 10th inst. & that the aforesaid Counsel give notice hereof to the Counsel of the other parties.

John Hooker et al
vs
John Hooker
Pltffs in Error

Mr Andrews of Counsel for the defendants in error moved the Court to dismiss this writ of error for the reasons set forth in his written motion filed on the 30th ult. and proceeded to argue in support thereof and which was opposed by the Messrs of Counsel for the plaintiff in error. Whereupon this Court not being now here sufficiently advised of and concerning what order to make in the premises took time to consider.

Richard Gregg
vs
Pltffs in
Wm F. Bryant.
Error

This cause was argued by Mr. Bateman of Counsel for the plaintiff in error and submitted on a printed argument by Mr. Purple of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock

Monday January 6th 1862

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney, Chief Justice
James M. Wayne
John Catron. Associate
Samuel Nelson, Justices
Robert C. Grier
Nathan Clifford

Lloyd N. Rogers Esquire Marshal,
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Carlisle it is ordered that Benjamin F. Russell, Esquire of Boston State of Massachusetts be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

John D. Hager, Appellant.

32 vs. Appeal from the Circuit Court of the United States for the District of New Jersey

John R. Thomson, Edwin A. Stevens, James Neilson & the said John R. Thomson, Edwin A. Stevens, James Neilson, Robert F. Stockton & Richard Stockton Trustees of New Brunswick Steamboat Canal Transportation Co.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey and was argued by counsel - On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Js. Thos. Chs. Clifford

James Leighton &c		In error to the Circuit
188	vs.	Court of the United
Gustave Touchard		States for the Northern
		District of California

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and was argued by Counsel - On Consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this Cause be and the same is hereby affirmed with Costs.

Opn. Mr. Just. Grier.

Wm. P. Ingle Extr of		In error to the
Sam R. Crimon dec'd.		Circuit Court of
11	vs.	the United States
Charles S. Wallach.		for the District of
		Columbia.

This Cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Columbia, and was argued by Counsel - On Consideration whereof it

is now here ordered and adjudged by
this Court that the judgment of the said
Circuit Court in this Cause in this
same is hereby reversed with costs, and
that this Cause be and the same is hereby
remanded to the said Circuit Court
with directions to award a venire facias
de novo.

per Mr. Just Nelson

Wade Sayles, Appt
vs
A. M. Pennington and
the Illinois Cent R.R. Co.

28

Appeal from the Cir
cuit Court of the Uni
ted States for the North
ern District of Il
linois.

This Cause came on to be heard on
the transcript of the record from the Circuit
Court of the United States for the Northern
District of Illinois, and was argued by
Counsel. On consideration whereof it
is now here ordered, adjudged & decreed by this
Court that the decree of the said Circuit
Court in this Cause be & the same is hereby
affirmed with costs.

per Mr. Just. Wayne

Monday, January 6th 1862, Continued.

The Trustees of the Wabash & Erie Canal Co.		On consideration of the motion to dismiss this case filed on the 11th of November last by Mr. Gillet
2nd	vs	
Joseph L. Bent.		

one of the arguments of Counsel thereupon had as well against as in support thereof, it is now here ordered by the Court that said motion be and the same is hereby overruled.

John Meeks et al		On consideration of the motion to dismiss this case filed on the 30th ultimo by Mr Andrews
3rd	vs	
John Bowen.		

and of the arguments of Counsel thereupon had as well against as in support thereof it is now here ordered by the Court that the said motion be and the same is hereby overruled.

Richard Gregg.		The argument of this cause was concluded by Mr. Baldwin of Counsel for the plaintiff in error.
4th	vs	
Wm T. Bryant		

Andrew Mason
vs. Appeal from the
60 Charles G. Hamm. Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and it appearing to the Court that no appearance of Counsel has been entered in this cause & it is therefore ordered pursuant to the 18th rule of this Court, now considered, ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs and that this cause be and is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Sm. Dan. Ch. Jus. Taney

Wm Kellogg use
vs. Appeal from
61 Edward Chase. the Circuit Court of the United States for the Northern District of Illinois

This cause having been called for argument and no counsel appearing to be heard thereon & it is therefore now

Monday, January 6th 1862 Continued.

hen ordered by the Court that this Cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of Court.

Christian Kanigue
vs
Edward P. Tyson.

The argument of this Cause was commenced by Mr. Fuller of Counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday — January 7th 1862 — 13274.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne,
John Catron, } Associate
Samuel Nelson } Justices
Robert C. Grier,
Nathan Clifford

Stan'd H. Lamon, Esqr. Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Christian Fenwick. } The argument of
vs. } this cause was
Edward P. Dyson } continued by
Mr. Benton of Counsel for the appellee and concluded by
Mr. Carlisle of Counsel for the appellants.

62

Tuesday January 7th 1862. Continued.

John Hellman &c
63 vs. Ufpfts
Charles Goodyear &c.

This cause having been called for argument and no Counsel appearing ready to proceed therewith, it is therefore upon now here ordered by the Court that this Cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of Court.

Anson Burgi &c.
64 vs Ufpfts
The Blue Ridge R.R. Co

This Cause having been called for argument and no Counsel appearing ready to proceed therewith, it is therefore now here ordered by the Court that this Cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of Court.

James C. Dunn
65 vs Jeffries &c
Richard Smith

This cause was argued by Mr. Ingle of Counsel for the plaintiff in error, and by Mr. Carlisle for the defendant in error.

Tuesday, January 9th 1862, continued 1327

H. B. Cromwell et al vs. Appts Bank "Island City" &c

The argument of this cause was continued by Wm. Dunn of Counsel for the appellants

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Wednesday, January 8th 1862.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney, Chief Justice
James M. Wayne,
John Catron,
Samuel Nelson,
Robert C. Grier &
Nathan Clifford
Associate Justices.

Ward H. Lamon, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by the Attorney General Bates it is ordered that William B. Irvine, Esquire of Baltimore State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion just made to the Court in this behalf by Hon. E.M. Stanton it is ordered that William Bond Esquire of New York City and Lewis Taylor Esquire of Lawrence County, Pennsylvania be admitted to practice as Attorneys and Counsellors of this Court, and they were severally sworn accordingly.

Charles Fosdick vs Appl The United States. 353

Mr Black of Counsel for the appellant having represented to the Court that it was very important to the interests of all the parties in this cause pending the Government at the Argument to have this cause heard and decided during the present term and that the record was so voluminous and so recently filed that the Clerk thought he could not have it printed in time without neglecting or postponing other cases and also that the parties were willing and ready at all times to pay the Clerk all his usual or legal fees in

Wednesday January 8th 1862 Continued

the Court thereupon moved the Court further to continue said record from the files of this Court for the purpose of having the same printed at their own expense On consideration whereof it is now here ordered by the Court that the Clerk do the same transmit to the printers for the purpose aforesaid upon the payment and securing to be paid to him all such fees as now are or may become due and owing to him, and also that the Clerk do the same to the said parties or their Counsel for said purpose and their promise to return the same as soon as they shall have it printed to the files of this Court.

H. B. Cornwell Esq
vs
The Bank of Commerce &c

66

The argument of the cause was continued by Mr. Luna of Counsel for the appellants and by Mr. Curtis of Counsel for the appellees and concluded by Mr. Luna for the appellants.

Consideration being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday, January 9th 1862.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron, Associate
Samuel Nelson Justices
Robert C. Grier
Nathan Clifford
Ward H. Lamon, Esquire, Marshal.
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

Hedeman N. Clark
vs Appeal
by
H. H. Hacker.

upon the motion of the appellant by entering a submission in the record a Mandate was ordered by the Court at the present term upon the Condition that the want of a return of that writ should not delay the argument and decision of the case when called for trial in the regular order of business the case being now called for trial and the motion

are not returned, it is thereupon ordered that the said writ be set aside and annulled, and that the cause be argued and heard upon the bill now before the Court.

Ferdinand N. Clark
vs Appeal
by Wm. H. Hunkell

This cause was argued by Mr. Hunkell for Appellant.

Henry Sturdy &c.
vs Appeal
B. S. Sweeney &c.

This cause having been called for argument and no counsel appearing ready to proceed therewith, it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

71 Jesse Hoyt
vs. Jefferson
A.G. Thompson's admr. &c.

This cause was argued by Mr. Hoyt pro se, by Mr E.W. Stoughton & Mr. L. Blanchard of counsel for Thompson's administrators and submitted on a printed argument by Mr. De Forest in behalf of the Long Island Railroad Company.

Proclamation being made the Court stood adjourned until tomorrow morning at eleven o'clock.

13 U.S.

Friday, January 10th 1862

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
James M. Wayne,
John Catron,
Samuel Nelson,
Robert C. Grier,
Nathan Clifford
Associate Justices.

Ward H. Lamon, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the court on this behalf by Hon Gilbert Dean it is ordered that Frank H. Lane Esquire of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion said made to the Court in this behalf by Wm. Emmons it is ordered that Lincoln C. Hunt of Green Bay, State of Wisconsin be admitted to practice as an attorney and Counsellor of this Court and he is sworn accordingly.

270 The United States vs. Appeals Charles M. Weber — On the motion of Wm. Lacombe of counsel for the appellees and with the assent of Wm. Stanton in behalf of the United States. It is now here ordered by the Court that the Clerk have leave to issue a Writ of Procedendo or Mandate in this case at any time during the term of court upon the payment of the fees due him in the case.

126 Selah Chamberlain vs. Appeal Newcomb Cleveland — On the motion of Wm. Whiting of Counsel for the appellee and with the assent of Wm. Emmons of Counsel for the appellant

Friday, January 10th 1862 Continued.

It is nevertheless ordered by the Court that the motion to dismiss this cause set down for to day, be and the same is hereby set down for argument on this day week the 17th instant.

Robert L. McGehee
vs
Plaintiff in Error
Robert Ferguson

Mr. Ballance of Counsel for the plaintiff in error moved the Court to amend and rescind the order of 8th instant postponing this case to the foot of the docket and for leave to argue the case at this term — On consideration whereof it is nevertheless ordered by the Court that the said motion be and the same is hereby overruled

1256 Isaac H. McLaughlin
vs
James Swan &c

On the motion of Mr. Campbell of Counsel for the defendants in Error, it is nevertheless ordered by the Court that his motion to dismiss this cause set down for argument this day be and the same is hereby postponed to this day

week the 17th instant.

Wm Glasgow for pltff &c
vs pltff in Ex.
41 John B. Harley

On the motion of Mr. Dill of Counsel for the defendant and it appearing that the agent of Mr. Sales of Counsel for the plaintiff in error, it is now hereby ordered by the Court that this cause be and the same is hereby postponed for the present

Henry M. Rector
vs. pltff in Ex.
72 Charles Ashley & Extx &c

This cause having been called for argument and no Counsel appearing ready to proceed therewith It is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

Friday January 16th 1863, Continued

John E. Malcher
p3 vs. Pfeiffer.
Appln of Dr. Stewart for

This cause having been called for argument and no counsel appearing ready to proceed therewith it is thereupon now ordered by the court that this cause be and the same is hereby postponed to the first day of the next term pursuant to the 26th rule of court.

Lewis H. Morgan
p4 vs. Appeal
Wm H. Hopkins et al

On the motion of Mr Williams of counsel for the appellee and with the assent of Mr Lane of counsel for the appellants. It is now here ordered by the court that this cause be and the same is hereby passed for the present.

Wm M Shaw et al.
p5 vs. Appeal
William Hunt et

Mr Chief Justice Taney informed Mr Shaw how that the Court would on next Monday announce whether it

would have an argument on his motion to dismiss this writ of error.

Robert Turner
vs. Appeal
Andrew Flanigan

76 This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Benoit of Counsel for the appellant and by Mr. Perine of Counsel for the appellees.

Henry B. Commissioner
vs. Appeal
Stephen Lowabee &c

77 On the motion of Mr. Donohue of Counsel for the appellants it is now here ordered by the Court that this cause be and the same is hereby passed for the present

Isaac H. Simpson assignee
vs. Appeal
Elisha Baker

78 Mr Donohue of Counsel for the appellant suggested to the Court that Elisha Baker the appellee had departed

Friday January 10th 1862 Continued

this day since the last term of this Court
On consideration whereof it is now
here ordered by the Court that this
cause be and the same is hereby passed
for the present.

79 John C. Sweeney &c
vs. Appelts
Wm. Nelson &c

On the motion of
Mr. Donohue of
counsel for the
appellants it is
now here ordered by the Court that this
cause be and the same is hereby passed
for the present

80 John C. Sweeney &c
vs. Appelts
Wm. Nelson &c.

On the motion of
Mr. Donohue of
Counsel for the
appellants it
is now here ordered by the Court that
this cause be and the same is hereby
passed for the present.

81 John S. Lawrence vs Adm'r John Dunbar & al. On the motion of Mr. Donohoe of Counsel for the defendants

It is now here ordered by the Court that this cause be and the same is hereby passed for the present

129 John Maguire vs Admr of Mary L. Tyler & al. Mr. Ewing (for Mr. Linton) of Counsel for the plaintiff in error moved the Court to set down the motion to dismiss this cause for this day two weeks which was opposed by Mr. Donohoe of Counsel for the defendants in error. On consideration whereof it is now here ordered by the Court that the motion to dismiss this cause be and the same is hereby ordered for argument this day two weeks the 25th instant.

Proclamation being made the Court is adjourned until Monday morning at 10 o'clock.

1132 91 Monday January 13th 1862

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne,
John Catron, } Associate
Samuel Nelson, } Justices
Robert C Grier
Nathan Clifford
Lloyd N. Lamon Esquire Marshal.
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. R. H. Gillet it is ordered that L. L. Follett Esquire of Norwich, State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Black it is ordered that Henry B. Howard, Esquire of Boston, State of Massachusetts and Samuel B. Hopkins, Esquire of Terre Haute, State of Indiana be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

On motion first made to the Court in this behalf by Hon. Gilbert Dean it is ordered that Richard Grossman Esquire of New York City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Britton A. Hill, Esquire, it is ordered that Hon. J. B. L. Todd, of Fort Randall Dakota Territory, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Monday, January 13th 1862, Continued

Roger B. Wightman
56 vs. petitioners.
The Corporation of Washington.

In error to the Circuit Court of the United States for the District of Columbia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by counsel On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with direction to award a venire facias de novo.

Jr. Mr. Just. Clifford.

The Attorney General of the Commonwealth of Massachusetts ex. rel. the Associate Reformed Presbyterian Synod of New York

vs. Appellee in Er.

The Proprietors of the Meeting house on Federal Street in the Town of Boston.

In error to the Supreme Court of the State of Massachusetts at Boston

117

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Massachusetts and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Jn. Mc Lean

Lloyd N. Rogers in his own right & as admr of Eliza Parke Custis Edmund Law Rogers in his own right & as admr of Eliza Law Rogers & Elenora N. Rogers

vs.

Joseph E. Law by Mary Robinson his next friend.

Appeal from the Circuit Court of the United States for the District of Columbia

31

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Jus. Nelson.

67 Ferdinand S. Clark vs. Appeal from Wm H. H. Hackett. It appearing to the Court that the testimony heretofore ordered in this case with the proceedings and proofs therein referred to, was returned to this Court on the day on which that order was set aside and annulled, after that order was made, but before the Court had adjourned: It is therefore ordered that all of the proceedings and proofs & exhibits from the Circuit Court be filed and recorded by the Clerk of this Court as a part of the proceedings upon which the Circuit Court passed its decree, and that the same be in like manner received and considered in this Court as a part of the transcript upon which it is to pass its judgment and the evidence therein contained to be duly weighed in the decision of the appeal now before the Court.

Per Curiam. Ch. Jus. Taney

Samuel S. Baroness
vs
William Heath Jr.

In error to the
Circuit Court of
the United States
for the Northern
District of California.

This cause came on to be
heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and it appearing to the Court that there has been no citation in this cause pursuant to the provisions of the Judiciary Act of 1789; It is therefore on the motion of Mr. Stanton now here considered, ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Ch. Jus: Taney

John T. Ingle Exr
of Jno R. Conrad
vs
Charles S. Fairchild.

On the motion of
Mr Grant for Mr May
of Counsel for the
plaintiff in Error,
it is now here ordered

ed by the Court that the Clerk may issue a mandate in this case during the present term of this Court upon the payment of the fees due in the case.

Wm Haynes Jr. Exr. vs. Jeffersen John B. Kortz. 41

Motion of counsel for the defendant in error, moved the Court to set down this cause for argument on next Tuesday - On consideration whereof it is now here considered by the Court that this motion be and the same is hereby overruled.

Lewis H. Meyer et al. vs. Apsetts U. M. Supper et al. 71

The argument of this Cause was commenced by Mr. Donohue of counsel for the appellants and continued by Mr. Apsetts of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday January 14th 1862

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice.
James M. Wayne,
John Catron,
Samuel Nelson,
Robert C. Grier,
Nathan Clifford
Associate Justices

Lloyd N. Rogers Esquire Marshal,
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion ordered that Edward N. Owen Esquire of New York City be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

Lizzie H. Simpson
78 vs Chas Cty appt
Elisha Baker

The Plaintiff by
Counsel for the appellee having filed
their Petition praying
appointing Frederick Baker executor of
the Estate of Elisha Baker deceased and
a Stipulation by the Counsel of the respective parties that the said executor shall
be substituted as the appellee in this
case, moves the Court to direct the appearance of said executor to be entered
herein. On consideration whereof it is
now here ordered by the Court that the
appearance of Frederick Baker the
executor of Elisha Baker deceased, be
entered as the appellee in this cause and
that he be and hereby is made the appellee with leave to assist this appeal.

Lewis H. Meyer Exr.
74 vs appellee
W. W. Simpson Exr.

The argument of
this Cause was continued by Mr. Hill
Counsel for the appellees and concluded by Mr. Green
of Counsel for the appellants.

Tuesday, January 14th 1862 Continued.

78 Isaac H. Simpson vs. Chas Appt. Elisha Baker. This cause having been called for argument and no Counsel appearing ready to proceed therewith, it is thereupon now here ordered by the Court that this Cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

79 John C. Breckinridge &c. vs. Appts Wm Nelson & al. and

80 John C. Breckinridge &c. vs. Appts Wm Nelson & al. The argument of these Causes was commenced by Mr. Crittenden of Counsel for the appellants and continued by Mr. Goodman of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday, January 15th 1812

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney, Chief Justice
James M. Wayne,
John Catron } Associate
Samuel Nelson } Justices
Robert C. Grier &
Nathan Clifford

Wayd H. Lamon, Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

79 John C. Mordecai &c. vs. Wm Nelson &c. } The argument of these causes was continued by Mr. Mordecai of Counsel for the appellants and concluded by Mr. Lamon for the appellees.

80 John C. Mordecai &c. vs. Wm Nelson &c. }

Wednesday. January 15th 1862. Continued

John S. Sawyer		The argument
81	vs. Appt	of these causes was
John Lenhausen		commenced by
		Mr. Lenhausen of
John S. Sawyer		counsel for the app
82	vs. Appt	ellants and con
John Lenhausen		tinued by Mr Cowen
		of Counsel for the

appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday, January 16th 1862. 1530 AM

Court to adjourn until the Court
meet this morning at ten o'clock.

Present

The Honorable James M. Cowan.

John Cabin, Associate
Samuel Nelson, Justices.
Robert G. Grant
Nathan Cliffon
Lieut H. Lansing Comm, Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

John S. Lawrence
vs Appeal
John Lambertson.

81

The argument of
this Cause was
continued by the
Counsel for the appellant
and Concluded
by Mr. Knowlton
for the appellant.

John S. Lawrence
vs. Appeal
John Lambertson.

82

Thursday, January 16th 1862, Continued.

John Clifton Clint
vs. Appt
Wm H. Sheldon.

The argument of this cause was commenced by Mr. Donohue of Counsel for the appellant and continued by Mr. Owen of Counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday, January 17th 1862. 153rd.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Asa P. Tenney Chief Justice
James M. Mayo.
Ebn Eaton. Associate
Samuel Nelson. Justices
Robert E. Goss
Nathan Clifford
Ward H. Lamon Esquire. Marshal
William Thomas Carroll. Clerk.

Proclamation being made by the Crier of Court.

On motion first made to the Court in this behalf by Hon. J. S. Black it is ordered that Thomas M. Cannon Esquire of New State of New Hampshire be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Friday. January 17th 1862, Continued.

On motion first made to the Court in this behalf by Hon E. M. Stanton it is ordered that George M. Conarroe, Esquire of Philadelphia, State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Ry Johnson it is ordered that J. C. Nissen Esquire of Lancaster State of Iowa be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Ogden, Short &c
vs Appeals
The Ruby Insurance Co

Mr Cochran of counsel for the appellee having suggested a diminution of the transcript of the record in this cause in the words and figures following, to wit:

"The evidence given by the said appellee and appearing of record in said cause consisting of two copies of the records of the Court, judgments and proceedings and re-

cause thereof as set forth in the former petition of the same appellants in this respect the transcript filed in this cause is defective. And also the cause of satisfaction of several of the decrees and orders of the said Circuit Court made at the May term thereof 1861, against the Stockholders and debtors of the said Ohio Insurance Company which cause of satisfaction appears of record upon the records of the said decrees, but which causes are not shown in the transcript filed in this cause."

moved the Court for a writ of certiorari on the grounds set forth in his written motion filed in this cause on the 16th instant which was opposed by Mr. Counsel for the appellants. On consideration whereof it is now here ordered and decreed by this Court that a writ of certiorari be and the same is hereby awarded to be issued forthwith, and to be directed to the Judges of the Circuit Court of the United States for the District of Indiana commanding them that forthwith the

words and proceedings aforesaid they
forthwith certify to this Court under the
seal of the said Circuit Court whether
conviction and judgment be found in
this cause and upon the same with
the said time of continuance to this Court
on or before the first day of July next.
per Mr. Ch. Jus. Taney.

Samuel Singleton &c
vs
Gustave Touchard

Plaintiffs in Error

Mr Wilkins
for the Defendant
in error moved
the Court for leave
to the Clerk to issue a writ of procedendo
during the present term of the Court
On Consideration whereof it is now
here ordered by the Court that the Clerk
may issue a mandate in this Case
during the present term of the Court
and upon the payment of the fees due
him by the said appellee.

Roger C. Weightman
vs
The Corporation of Washington.

56 Jeff'n C.

Mr Carlisle for Counsel for the plaintiff in error moved the Court for leave to the Clerk to issue a writ of fire facias during the present term. On consideration whereof it is now here ordered that the Clerk may issue a mandate in this case during the present term of the Court and upon the payment of the fees due him by the said plaintiff in error.

The United States
vs
Thomas C. Jerkins et al.

333 Appts

Mr Edwards and Mr Black of Counsel for the appellees moved the Court to dismiss this appeal for the reasons set forth in his written motion filed this day. Whereupon this Court not being now fully sufficiently advised of and concerning what order to make in the premises took time to consider.

The United States. — Mr. Blair (for Mr. Hinton) of Counsel for the appellants moved the Court to recall the decree of this Court entered in this cause on the 9th December last for the reasons set forth in his written motion filed this date in this cause. Whereupon this Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider.

12 vs. Appeals
James J. Hinsley

Henry E. Bascom — Error to the Supreme
Court of the State
of Michigan.

586 vs. Affirmed
Charles A. Lemmon

Mr Hand of counsel for the defendant in error having filed and now in open Court the following Certificate, to wit:

"The United States;
State of Michigan;
In the Supreme Court
of said State.

Henry E. Benson
as plaintiff in Error
Charles A. Inman
defendant in Error.

I David Walker
Clerk of the Supreme Court of the State
of Michigan do hereby certify
that in the above entitled cause which
came to this Court by writ of Error thereon
directed to the Circuit Court for the County
of Wayne, Judgment was rendered thereon
by the said Supreme Court of the State of
Michigan at its term of July in the year
one thousand eight hundred and sixty
one, and thereafter on the fifteenth day
of July in the year last aforesaid a
writ of error from the Supreme Court of
the United States was sued out in said
cause by Henry E. Benson the plaintiff
therein, which said writ of error was
duly allowed by the Hon. Geo. Martin
Chief Justice of the Supreme Court of the
State of Michigan and was duly
filed in my office as Clerk of said
Court together with an official Copy

Friday. January 17th 1862. Continued.

Witness my hand and the seal of the Supreme Court of the State of Michigan hereto affixed at the City of Detroit in said State this Twentieth day of January eighteen hundred and sixty two.

D. Walker, Clerk of the Supreme Court of the State of Michigan

and having stated that the plaintiff in error has together joined in for the record of said cause in this Court or in any way to prosecute said writ of error, now here moved the Court in pursuance of the 9th rule of this Court to have this writ of error dismissed and dismissed

On consideration whereof it is now here ordered and adjudged by this Court that the writ of error to the Supreme Court of the State of Michigan be and the same is hereby dismissed with costs and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law

and justice the said writ of error not withstanding.

Jos. Mc. Ch: Jus: Navy

Selah Chamberlain vs. Ogden Neweomb & Cleveland. 126

The motion to file this day made by Mr. Black to dismiss this cause was argued by him in support thereof and by Mr. Brown in opposition thereto. Whereupon this Court not being sufficiently advised of and concerning what order to render in the premises took time to consider.

Patrick McLaughlin vs. Phillip Jones Swann &c. 196

The motion filed by Mr. Campbell on the 3d instant to dismiss this cause was argued by him in support thereof and by Mr. Alexander in opposition thereto. Whereupon this Court not being sufficiently advised of and concerning what order to render in

Friday, January 17th 1862. Continued.

the premises took time to consider.

Ferdinand S. Black
vs. Appeal
H. H. G. Hackett.

The motion of
Mr. Howard for
leave to argue
this Case was
argued by him in support thereof.
Whereupon the Court not being now
here sufficiently advised of and con-
cerning what order to make in the
premises took time to consider.

by

Proclamation being made the Court is
adjourned until Monday morning at
eleven o'clock.

Monday January 20th 1862. 13.316

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
Samuel Nelson Associate
Robert C. Grier " Justices
Benjamin R. Curtis "
John A. Campbell "
Nathan Clifford "
Noah H. Swayne Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Attorney General Bates it is ordered that Charles Conrad, Esquire, of Washington, District of Columbia, be and is admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Christian Faust
& Peter Farni.
62 vs. Appts.
Edwin B. Tyson

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel - On consideration whereof it is now hereby ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill.

Per Mr Justice Grier.

The United States.
12 vs. Appts.
Samuel J. Crosby.

On consideration of the motion made by Mr. Blair of counsel for the appellee on a prior day of the present term, to vac

on last Friday the 17th instant it is now here ordered by the Court that the said motion be and the same is hereby overruled

Ferdinand V. Clark & al vs Wm H. G. Mackall. On consideration of the motion made by Mr. Semmes of counsel for the appellant, on a prior day of the present term, to wit, on last Friday the 17th. instant it is now here ordered by the Court that the said motion be and the same is hereby overruled.

1916 Patrick McLaughlin & al vs James Swan & John S. Gittings, Garnishees of the Chesapeake & Ohio Canal Co. Appeal to the Circuit Court of the United States for the District of Maryland

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and upon the

motion of Mr. Campbell to dismiss this cause, it is now here considered, ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Jr. Mr. Ch. Jus. Taney

65 James C. Bronson & Stephen Richard Smith. } In error to the Circuit Court of the United States for the District of Columbia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the District of Columbia.

Jr. Mr. Ch. Jus. Taney

71

Jesse Hoyt, plff in er.
vs
Edward G. Thompson adm[r] with the will annexed of Abraham G. Thompson, dec[d] & the Long Island R. R. Co.

In error to the Superior Court of the City of New York

This cause came on to be heard on the transcript of the record from the Superior Court of the City of New York being possessed of the record and proceedings upon a certiorari from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

Per. Curiam. Clk. Jus. Taney

The Common and Sudbury & Framingham &c. Rds. vs. Aspetts Patrick & Brady.

The argument of this Cause was commenced by Mr. Murray of Counsel for the appellants and continued by Mr Bacon of Counsel for the appellees.

Further hearing being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday, January 21st 1862.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney, Chief Justice

" James M. Wayne,

" Samuel Nelson, Associate

" Robert C. Grier, " Justices.

" Nathan Clifford

Hon. A. Lagan, Esquire, Attorney

William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. Sherman it is ordered that Mark H. Dunnell, Esquire of Kingston State of New York, be admitted to practice as an Attorney and Counsellor of this Court and he was severally accordingly.

The Camden & Amboy R.R. & Transportation Co. vs Appts Fabiuk & Brady. The argument of this cause was Continued by Mr. Burrill of Counsel for the appellee, and concluded by Jon. Dwight of Counsel for the appellants.

54

Calvin M. Rutherford vs. Appt Thos & Robt Cadwalader. This cause having been called for argument and no Counsel appearing ready to proceed therewith it is now here ordered by the Court that this appeal and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

53

Simon Mufina vs Appellee Maria Josefa Carrazaz. This cause having been called for argument and no Counsel appearing ready to proceed therewith it is therefore now here ordered by the Court that this cause be and the same

56

is hereby postponed to the foot of the docket pursuant to the 26th Rule of Court.

Walter G. Robinson
vs
Lewis Aldridge
} This cause having been called for argument and no Counsel appearing

57 ready to proceed therewith, it is ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th Rule of Court.

Jonathan Emerson.
vs
Henry L. Buchanan
} The argument of this cause was commenced by Mr. Arrington

58 of Counsel for the respellants.

Proclamation being made. the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday, January 22nd 1862.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne,
Samuel Nelson Associate
Robert C Grier & Justices.
Nathan Clifford
Isaac H. Lamon, Esquire Marshal,
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr. Goodrich it is ordered that Samuel Hall, Esquire of Boston State of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Bates it is ordered that L. H. T. Gurley Esquire of Davenport, State of Iowa be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Jonathan Grenstal. The argument
88 vs. Appts of this cause
Henry L. Burnham jun. was continued
by Mr Arrington
of counsel for the appellants by Mr.
Conklin of counsel for the appellees and
concluded by Mr. Arrington for the ap
pellants.

Wm. Glasgow jr. et al. The argument of this
111 vs. Plffs in er. cause was commenc
John B. Heiskell ed by Mr. Bates of
counsel for plaintiffs in error

Proclamation being made the Court is ad-
journed until tomorrow morning at eleven o'clock

1332. Thursday, January 23d 1862.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne,
Samuel Nelson, Associate
Robert C. Grier, Justices
Nathan Clifford
Lloyd N. Lamon Esqr. Marshal.
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Hill, it is ordered that Asa Worden S. Wilkinson of Mankato State of Minnesota be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion just made to the Court in this behalf by Hon. C. H. Browning it is ordered that Jackson Grimshaw Esquire of Quincy State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

41 Wm Glasgow Jr. vs. Jeffries. John G. Hartig.

The argument of this cause was continued by Mr. Bates of counsel for the plaintiff in error, by Mr. Hitt of counsel for the defendant in error, and by Mr. Bates of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

1329. Friday, January 24th 1862.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne,
Samuel Nelson, Associate
Robert C. Grier, Justices.
Nathan Clifford
Ward H. Lamon, Esquire Marshal,
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

5 orig. The State of Missouri complt vs The State of Kentucky

On the motion of Mr. Reed of Counsel for the complainant it is now here ordered by the Court that this cause be and the same is hereby continued to the next term.

179 The Bayview vs Griffin & Mary L. Ogden &c.

On the motion of Mr. Nott it is now here ordered by the Court that the motion

set down for argument this day be and the same is hereby continued to next Friday the 31st instant.

111 Wm Glasgow Jr. &c. vs Jefferies. John B. Hertig. The argument of this cause was commenced on by the Counsel of counsel for the plaintiff in error.

42 Wm Glasgow Jr &c vs Jefferies Charles J. Carpenter This cause was argued by the Att'y of counsel for the defendants in error and submitted by Mr. Carlisle on behalf of the plaintiffs in error.

15331. Friday, January 21st 1862, Continued.

Wm Glasgow Jr. & al
113 vs Jefferson
Elgan Blanchard

Wm Glasgow Jr. & al.
111 vs Jefferson
John Horgan

These causes were submitted on the arguments and briefs in Nos 111 and 112.

Wm Glasgow Jr. & al
115 vs. Jefferson.
James A. Hardy.

Wm Glasgow Jr. & al.
116 vs Jefferson.
Christopher C. McLure

Wm H. McPherson
81 vs Jefferson
The State of Iowa

This cause having been called for argument & no counsel appearing may be proceed therewith, it is thereupon now ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
Samuel Nelson Associate
Robert C. Grier Justices.
Nathan Clifford
Noah H. Swayne.
Sam H. Lawon Esquire, Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

The Honorable Noah H. Swayne having produced Letters Patent from the President of the United States, which were read in open Court in the words and figures following, to wit.

"Abraham Lincoln.
President of the United States of America.
To all who shall see these Presents
Greeting:
Know Ye: That reposing special
trust and confidence in the wisdom

Upright Judge and Learning of Noah H. Swayne of Ohio, I have nominated and by and with the advice and consent of the Senate do appoint Him to be an Associate Justice of the Supreme Court of the United States, and do authorize and empower him to execute and perform the duties of that Office according to the Constitution and Laws of the said United States, and to Have and to Hold the said Office with all the powers, privileges and emoluments to the same of right appertaining unto Him the said Noah H. Swayne, during his good behaviour.

In Testimony whereof I have caused these Letters to be made patent and the Seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington the Twenty fourth day of January in the year of our Lord one thousand eight hundred and sixty two, and

of the independence of the
United States of America
the Eighty Sixth.

Abraham Lincoln

By the President
Frederick W. Seward
Acting Secretary of State."

thereupon took the following oath of office
in open Court.

"I, Noah H. Swayne, do solemnly swear, that I will administer
justice without respect to persons, and
do equal right to the poor and to the rich
and that I will faithfully and impartially discharge and perform all the duties
incumbent upon me as an Associate Justice of the Supreme Court of the United
States according to the best of my
abilities and understanding, agreeably to the Constitution and laws of
the United States. So help me God."

The United States
vs. Appeals
James C. Merchant exec.
of William Knight, dec'd

. Appeal from the
District Court
of the United States
for the Northern Dist
rict of California.

This cause came on to be heard
on the transcript of the record from the
District Court of the United States for the
Northern District of California and was
argued by Counsel. On consideration
whereof it is now here ordered, adjudged
and decreed by this Court that the decree
of the said District Court in this cause
be and the same is hereby reversed and
that this cause be and the same is hereby
remanded to the said District Court
with directions to dismiss the petition
of the claimant.

Per Mr. Jus. Clifford
Delivering the Opinion.

Henry B. Leonard guardian of the Steamboat Westchester &c. Appellants
vs. Appeals from the Circuit of the United States for the District of Massachusetts.
66 the Barque Atlantic City & Cargo.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof it is now hereby ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Jr. Dan. Jus. Grier

Robert L. Stillman On a certificate of
vs. division in opinion
24 The Hudson River Bridge between the Judges
Company at Albany. of the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record

from the Circuit Court of the Northern District of New York and on the points and questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided and was argued by Counsel. On consideration whereof, this Court being equally divided in opinion upon the first question certified, it is thereupon now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to proceed therewith in conformity to law and the rules of proceeding in such case provided.

per Mr. Just: Nelson.

Frederick H. Coleman
vs. Certificate of
25 Trustees division in opinion
The Hudson River Bridge between the Judges
Company at Albany. of the Circuit Court
of the United States
for the Northern District of New York.

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and on the points & questions on which the judges of the said Circuit Court were opposed in opinion and which were certified to this Court for their opinion agreeably to the act of Congress in such case made and provided and was argued by Counsel. On consideration whereof this Court being equally divided in opinion upon the first question certified it is thereupon now here ordered, adjudged and decreed by this Court, that this Cause be and the same is hereby dismissed and that this cause be and the same is hereby remanded to the said Circuit Court with direc-

Writ to be directed thereunto in conformity to law and the rules of proceeding in such case provided.

per Mr. Jus. Nelson

Richard Gregg
vs.
Edward F. Olson.

38

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr. Jus Nelson.

Richard Gage
vs. Error to
59 Wm. Jefferson. the Circuit
Maria Bryant, widow, Gage Court of the
& Thompson surviving heirs United States for the
of Wm. T. Bryant deceased. Northern District of
Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr. Justice Nelson.

6 | Hadinand N. Clark vs. Wm. H. H. Hackett | Appeal from the Circuit Court of the United States for the District of New Hampshire.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Hampshire, and was argued by Counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

Per Mr. Jus. Nelson.

1 | Charles E. Heilner, Appt vs The New Jersey R.R. & Trans portation Co. & the Proprietors of the Bridges over the river Passaic & Hackensack | Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the

Circuit Court of the United States for the District of New Jersey and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

By a divided Court.

David Bigelow, Appt.
vs
The New Jersey R R. & Transportation Co.

Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey and was argued by Counsel, On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

By a divided Court.

Charles E. Miller, Appt.		Appeal from
3.	vs.	the Circuit
The Newark Plank Road &		Court of the
Ferry Co. & the proprietors of the		United States
Bridges over the rivers		for the District
Passaic & Hackensack.		of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

By a divided Court

90 The United States vs. pltffs in er. Sylvanus H. Rathbun

91 The United States vs. pltffs in er. Robert Coles.

These cases were argued by Mr. Gilchrist on behalf of Counsel for the defendants in error, and were submitted on printed arguments by Mr. attorney General Bates in behalf of the plaintiffs in error and by Mr. Wendell Johnson for the defendants in error.

proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

153145.

Tuesday January 28th 1862.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
Samuel Nelson Associate
Robert C. Grier Justices.
Nathan Clifford
Noah H. Swayne
Henry K. Laman, Esquire Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. T. Grant, it is ordered that Addison L. Soon Esquire, of Oswego, State of New York, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Robt Thompson & al. vs. Pltffs in Er
92 Lewis W. Bowman. This cause having been called for argument and no Counsel appearing ready to proceed therewith it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

George H. Hoag vs. Pltff in Er
93 Jonathan Haines. On the motion of Wm. Nelson of Counsel for the plaintiff in error it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket.

The Commercial Insurance Co vs. Chas Copeland
94 Henry Fitzhugh & al. The argument of this cause was commenced by Wm. Benedict of Counsel for the appellants and continued by Mr. A. T. Grant of Counsel for the appellees.

Tuesday, January 28th 1862, Continued

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday, January 29th 1862.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Roger B. Taney Chief Justice
James M. Wayne,
Samuel Nelson, } Associate
Robert C. Grier } Justices.
Nathan Clifford
Noah H. Swayne

Ward H. Lamon Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

Rafael Renaut, Clt
vs Appellt
The United States

231

John Currie qui, Clts
vs Appellts
The United States.

265

Peter Miller qui. Clts
vs Appellts
The United States

274

Mr Carlisle moves the Court to fix a day certain for the argument of these causes, which was opposed by Mr Attorney Gen. eral Bates. On consideration whereof it is now here ordered by

the Court that the said motion be and the same is hereby overruled.

The Commercial Transportation Co. vs. Appts
Henry Fitzhugh et al. The argument of this cause was continued by Messrs Trout and Sedgwick of counsel for the appellees, and concluded by Mr. Benedict for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday, January 30th 1862. 13350

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James M Wayne,
Samuel Nelson, Associate
Robert C. Grier, Justices
Nathan Clifford
Noah H. Swayne.
Hon H. Lamon, Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Campbell it is ordered that Lewis Gale Esquire of Baltimore State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. W. Campbell it is ordered that Alexander Evans, Esquire of Elkton State of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Noyes it is ordered that Asher R. Ward Esquire of Elmira State of New York, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The County of Beaver } On a certificate of
165 vs. } division in opinion
Jeff } between the Judges
Marvin & Woodhull. } of the Circuit Court
of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the

Western District of Pennsylvania and it
appearing to the Court that no appearance
of Counsel has been entered in this cause
it is thereupon pursuant to the 18th rule of
this Court, now considered, ordered and
adjudged by this Court that this cause
be and the same is hereby dismissed
with costs, and that this cause be and
the same is hereby remanded to the said
Circuit Court to be proceeded in according
to law and justice.

Present Chief Justice Taney

Edmund Rice
vs. Plff in Er.
Minnesota & N.W.R.R. Co.

This cause was
argued by Mr. Keyes
of Counsel for the
defendant in error,
and submitted on printed arguments
by Mr. Stevens of Counsel for the plain-
tiff in error and by Mr. Rowley Johnson
of Counsel for the defendant in error.

Thursday, January 30th 1862. Continued.

William Christy
95 vs Plff in Er
H. H. Rudgeons admr.

This cause having been called for argument and no Counsel appearing ready to prosecute therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

Wm M. Cockran
96 vs Plff in Er
Albert J. Bunday jar.

This cause having been called for argument and no Counsel appearing ready to prosecute therewith it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

C. A Meigs jar.
100 vs Defts
Steamboat Northern

This cause having been called for argument and no Counsel appearing ready to prosecute therewith, it is now here ordered

by the Court that this cause be and the same is hereby postponed to the first day of the docket pursuant to the 26th rule of Court

U. S. Marshal vs. Assets. Virginia Steamship Co.

111 This cause having been called for assignment and no counsel appearing, it is, to proceed therewith it is now here ordered by the Court that this cause be and the same is hereby postponed to the first day of the docket pursuant to the 26th rule of Court.

J. G. Woods vs. Jeff County of Lawrence

102 This cause was argued by Mr. Taylor of Counsel for the defendant and submitted on printed arguments by Mr Smith and Mr Hamilton for the plaintiff and by Mr. Bridgeford for the defendant.

Thursday January 30th 1862, Continued.

113 John O'Brien vs Jeffries Eliza M. Perry et al.

This cause was argued by Mr. Hart of Counsel for the plaintiff in Error.

Proclamation being made the Court adjourned until tomorrow morning at eleven o'clock.

Friday. January 31st 1862

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice

James M. Wayne,
Samuel Nelson, Associate
Robert C. Grier, Justices
Nathan Clifford,
Noah H. Swayne,

Ward H. Lamon, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in behalf by Mr. Gillet it is ordered that Benjamin F. Rexford, Esquire of Norwich State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Joseph Bryan, 1001 vs. Jeffries The United States.

Mr. Justice Swayne ceased sitting in this cause having been consulted as Counsel in the case.

Joseph Bryan 1001 vs. Jeffries The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Brady, on behalf of the Plaintiff in error and by Mr. Attorney Gen. and Bates of Counsel for the defendants in error.

Emanuel Myers 105 vs. Jeffries The Commonwealth of Penn.

This cause having been called for argument and no Counsel appearing may be present thereat, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of Court.

106 John Randall Jr. vs. Appt's Isaac C. Howard

On the motion of Messrs Evans and Sale of Counsel for the appellee, and with the assent of Mr. Mayer of Counsel for the appellants, it is now here ordered by the Court that this cause be and the same is hereby continued to the next term.

107 Ambrose Langfitt vs. Appt's in Er. H. L. Hunley

This cause having been called for argument and no Counsel appearing ready to proceed therewith it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of Court.

108 John Overton Jar. vs. Appt's in Er. George W. & E. Chuck.

This cause having been called for argument and no Counsel appearing ready to proceed therewith it is thereupon

now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

The Ohio & Mississippi R.R. Co. vs. Craig & Thacker

109 The argument of this cause was commenced by Mr. Linton of counsel for the plaintiffs, continued by Mr. Porter of counsel for the defendants, and concluded by Mr. Linton for the plaintiffs.

Edward McGehee vs. H.R. Pomeroy & Co.

110 This cause having been called for argument and no counsel appearing may be present therewith, it is therefore now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court

111 John A. Jackson &c. vs. pltffs in er. M. R. P. Mathis &c. This cause having been called for argument and no counsel appearing ready to proceed therewith it is therupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of court.

112 James S. Montgomery vs. pltffs in er. M. R. P. Mathis &c. This cause having been called for argument and no counsel appearing ready to proceed therewith, it is therupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court

113 N. E. Bowling vs. pltffs in er. M. R. P. Mathis &c. This cause having been called for argument and no Counsel appearing

ready to proceed therewith, it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

1111 James H. Nelson vs Plaintiff
M. R. P. Mathis &c. Defendant

This cause having been called for argument and no counsel appearing ready to proceed therewith, it is thereupon now here ordered by the court that this Cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of court.

113 Charles McLemore vs Plaintiff
M. R. P. Mathis &c. Defendant

This cause having been called for argument and no counsel appearing ready to proceed therewith, it is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

Charles McKennett
116 vs. Jeffries. This cause having been called for argument and no counsel appearing ready to proceed therewith it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 20th rule of Court.

Thomas Pearce
23 vs. Jeffries
Randall C. Higgins. Heretofore to wit the Court that a judgment dismissing this cause had been inadvertently entered on the 6th instant. it is thereupon now here ordered by the Court that the aforesaid judgment be and the same is hereby rescinded and that this cause be and the same is hereby continued to the next term

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday February 3d 1862.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable James M. Wayne
Samuel Nelson — Associate
Robert C. Grier — Justices.
Nathan Clifford
Noah H. Swayne.

Ward H. Lamon Esquire, Marshal,
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. S. F. Vinton, it is ordered that C. M. Hawley Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Hon R. H. Gillet it was ordered that Mr. J Bidwell Esquire of Madison State of Wisconsin be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

51 John S. Lawrence
vs. Appl
John Lambreus Master of Brig "Admiral Collenberg"

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

Jn Mn Jus: Clifford

John S. Lawrence Appt		Appeal from the
82	vs	Circuit Court
John Lambrans Jno Lambrans & Martin Lambrans		of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of said State.

Js. Mr. Jus. Clifford.

Selah Chamberlain		Appeal from the Dis
126	vs Appt	trict Court of the
Newcombe Cleveland		United States for the
		District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Dis-

trict Court of the United States for the District of Wisconsin, and it appearing to the Court here from arguments and other evidence filed in this cause on behalf of persons not parties to this suit that this appeal is not prosecuted by parties having adverse interests but for the purpose of obtaining a decision of this Court to affect the interests of persons not parties;

It is therefore now here ordered and adjudged by this Court that the appeal in this case be and the same is hereby dismissed with costs.

Pr. Mr. Jus: Grier

Jonathan Evans Lycurgus Sherman, Mason G. Sherman & David G. Rose vs. Alpheus Henry L. Buckham et al.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

88

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for

the Northern District of Illinois and was argued by Counsel, On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr. Jus: Nelson.

The Camden & Amboy R. R. & Transportation Co. Claim'ts of the Steamboat "New Philadelphia" vs. Patrick F. Brady. Apps'ts.

520

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear

in the Courts of said State.

Jr. Mr. Jus. Wayne
Dissenting Mr. Jus Grier

117 The United States vs. Appts Robert B. Taleigh

On the motion of Mr Coffey assistant Attorney General suggesting that Mr Attorney General Bates of counsel for the appts. Lands is confined to his house by indisposition, and with the assent of Mr. Johnson of counsel for the appellee it is now hereordered by the Court that this cause be and the same is hereby passed for the present.

118 The United States vs. Appts M. L. Vallejo & ajoins

On the motion of Mr. Attorney Johnson of counsel for the appellees and with the assent of Mr. Black of counsel for the appellants it is now hereordered by the Court that this cause be and the same is hereby set down for argument next Monday the 10th instant.

The United States
vs. Appts
John H. Wilson

On the motion of Mr. Coffey Act Attorney General suggesting that Mr. Attorney General Bates of counsel for the appellants is confined to his house by indisposition, It is now here ordered by the Court that this cause be and the same is hereby passed for the present.

The United States
vs. Appts
Ramona C. de Wilson

On the motion of Mr. Coffey, asst attorney General suggesting that Mr. Attorney General Bates of counsel for the appellants is confined to his house by indisposition It is now here ordered by the Court that this cause be and the same is hereby passed for the present.

Wm. L. Johnston
vs. pltff in e
Wm. Stones & ac.

The argument of this cause was commenced by Mr. Wills of counsel for the plaintiff in error.

125 John G. Jutnesch pal. vs. Plff in Error
Charles B. Farwell Mr. Johnson of counsel for the plaintiffs in Error having suggested to the Court that his associate counsel Mr. Washburne of Illinois has experienced a severe family affliction which has taken him home unexpectedly to pay this cause when it should be reached, to which Mr. Manley of counsel for the defendant in error assented. On consideration whereof it is now here ordered by the Court that this cause when reached shall be passed without losing its place on the docket.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday, February 11th 1862

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney Chief Justice
James M. Wayne,
Samuel Nelson Associate
Robert C. Grier, Justices.
Nathan Clifford
Noah H. Swayne

Ward H. Lamon, Esquire. Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Wm. Ewing it is ordered that A. Lawrence Esquire of Smithtown branch, State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

121 Wm S. Johnston vs. plff in er. Wm Jones gal. The argument of this cause was resumed by Mr Fuller & Mr. Carlisle of counsel for the defendant in error and concluded by Mr. Wells for the plaintiff in error

122 Samuel Wilson vs. plff in er Thomas Wallace. This cause having been called for argument and no counsel appearing ready to proceed therewith it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday, February 5th 1862.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
James M. Wayne,
John Catron,
Samuel Nelson, Associate
Robert C. Grier, Justices.
Nathan Clifford
Noah H. Swayne.

Ward H. Lamon Esquire, Marshal,
William Thomas Carroll, Clerk,

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon J. S. Black it is ordered that Matthew H. Carpenter Esquire of Milwaukee State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

124 Augustus A Lindsey &c. vs. Appts
David Hamer &c. Esqrs

This cause having been called for argument and no counsel appearing ready to proceed therewith, it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 96th rule of Court.

129 John Maguire vs. Plaintiff in Error
Mary L. Tyler &al

The argument of this cause was commenced by Mr Ewing of Counsel for the plaintiff in error and continued by the Atty of Counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

1375

Thursday February 6th 1862.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief-Justice
James M Wayne,
John Catron,
Samuel Nelson, Associate
Robert C. Grier Justices
Nathan Clifford
Noah H. Swayne
Ward H. Lamon, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

John Maguire
vs
Mary L. Tyler et al

The argument of this cause was continued by Mr. Hill of counsel for the defendants in error and concluded by Mr Ewing of counsel for the plaintiff in error.

194

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday. February 7th 1862

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne,
John Catron,
Samuel Nelson, Associate
Robert C. Grier Justices
Nathan Clifford
Noah H. Swayne
Ward H. Lamon, Esquire, Marshal.
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon S. R. Goodell it is ordered that James Abrams and B. K. Miller Esquires of Milwaukee State of Wisconsin be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly

James O'Brien
vs
Richard Smith

65 Plff in er

This cause having been argued at the present term and the judgment of the Court below having been affirmed with costs and interest: It is now on this 7th day of February 1862 of the same term, by the clerk of Court for the defendant brought to the notice of the Court that pending the writ of error the Plaintiff died and his death having been duly suggested and an order of publication granted under the 15th rule the "proper representatives" of the said deceased "according to the nature of the case" to wit the administrators, did appear voluntarily, and were heard by Counsel in support of the said writ, but neither in the precipe for entering such appearance nor else where in the record does it appear who the said administrators are, they having been by their Counsel described as "administrators of James O'Brien" generally without naming them.

Whereupon the said Counsel for

the defendant in error now producing before the Court here a duly authenticated exemplification of the letters of administration of the personal estate of the said James O'Brien granted by the Orphans Court of Washington County to Rosa O'Brien and John F. Ennis moves the Court that the names of the said administrators be entered of record as of the date of their said appearance by counsel - nunc pro tunc:

And for that the Court below is now in session that the mandate be ordered to be issued without delaying the same till the end of this term.

On consideration whereof it is now here ordered by the Court that the appearance of Rosa O'Brien & John F. Ennis administrators of James O'Brien deceased be and the same is hereby entered as plaintiffs in error, and that they be and hereby are made the plaintiffs in error in this cause nunc pro tunc as of the 7th day of January last past.

Friday February 7th 1862, Continued.

James C. Brien
63 vs Error
Richard Smith.

On the motion of Mr. Carlisle of counsel for the defendant in error, it is now here ordered by the Court that the Clerk may issue a mandate in this cause sending the present term of this Court, the defendant in error having paid the fees due the Clerk by him in the case.

Josiah S. Keenan
111 vs Appl
John B. Lee

Mr. Coolidge of counsel for the appellee having suggested the death of John B. Lee and filed Letters testamentary appointing Alfred F. R. Braley administrator of the said John B. Lee, now here moved the Court for leave to enter the appearance of the said administrator as appellee:— On consideration whereof, it is now here ordered by the Court that the appearance of Alfred F. R. Braley administrator of John B. Lee deceased, be entered as the appellee, and that the said administrator be and he is hereby made the ap-

plaintiff in this case.

Josiah A. Noonan
vs. Plaintiff in
John B. Lee.

1114

Mr Hoadley of counsel for the plaintiff moved the Court to dismiss this cause for the reasons set forth in his written motion filed on the 3d instant and argued in support thereof and which was opposed by Mr. Gillet of counsel for the respondents, whereupon this court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

A. G. Kirkpatrick &
Alexander Stevenson
vs. Plaintiffs in
Isaac L. Scott

990

In error to the Circuit Court of the United States for the Northern District of Illinois.

Mr. Fuller of counsel for the defendant in error having filed a writ of error together with a transcript of the judgment, citation and bond in this cause, duly certified by the Clerk under

the Seal of the Circuit Court of the United States for the Northern District of Illinois and having stated that the plaintiffs in error have altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error now here moved the Court in pursuance of the 6th rule of this Court to have this writ of error docketed and dismissed - On Consideration whereof it is now here ordered and adjudged by this Court that this writ of error to the Circuit Court of the United States for the Northern District of Illinois be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

Jn. Mar. Ch. Jus. Taney.

H. B. Cromwell Claim't of the Steamer Richmond &c. vs. Appt Stephen Sanford &c. } Appeal from the Circuit Court of the United States for Southern District of New York.

771

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and it appearing to the Court from the Stipulation on file that the matters in controversy has been agreed and settled between the parties. It is therefore now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed with costs.

per Mr. Ch. Jus. Chase

Melvin L. Gray Appellee vs. Jeffries G. K. Wyman &c. } Appeal from the Circuit Court of the United States for the Southern District of California

2211

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for

Friday, February 7th 1862. Continued.

Northern District of California, and it appearing to the Court from the Stipulation on file that the matters in controversy have been agreed and settled between the parties and that each party should pay its own costs, It is thereupon now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed and each party pay its own costs in this Court.

Jr. Mr Chs. Henry

George G. Bates
vs
Illinois Central R.R. Co.

1374 Upon the application of Mr. Wills of Counsel for the plaintiff in error an additional hour is given him for the argument of this Cause.

Wm Conway et al
vs
James Taylor et al

1375 Upon the application of Mr. Stevenson of Counsel for the appellees an additional hour is given him for the argument of this Cause.

Friday, February 9th 1861, continued 1338

127 Peter Conway &c
in appeals
James Hughes Exr. &c

The argument
of this cause was
commenced by Mr.
Stanbery of Counsel
for the appellants and continued by
Mr Merriman of Counsel for the appellees.

Proclamation being made the Court adjourned
to until Monday morning next at eleven
o'clock.

1 U.S. 385

Monday February 10th 1862.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson Associate
Robert C. Grier Justices
Nathan Clifford
Noah H. Swayne

Isaac H. Lamon, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

The United States in error to the District
vs Court of the United States
Sylvanus M Babbitt for the District of
Iowa.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Iowa and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the

judgment of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the District Court for further proceedings to be had therein in conformity to the opinion of this Court and as to law and justice shall appertain.

—Pr. Wm. Jas. Stipp

The United States } In error to the District
vs. } Court of the
Robert Coles. } United States for
the District of Iowa.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Iowa and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said District Court for further pro-

ceedings to be had therein in conformity to the opinion of this Court and as to law and justice shall appertain.

Per Mr. Jus: Swayne.

The Commercial Transportation Co. Claimants of the Steam Boat "Commerce" vs. Appts. Henry Fitzhugh & Wm. G. Gillespie & James Peck.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of said State.

Per Mr. Jus: Clifford

	William Mason jr. & William C. Taylor surv'g Comm'rs of the 16 Sec. in township 45 N. R. 7 East	In error to the Supreme Court of the State of Missouri.
41	vs	
	John B. Hortis	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per. Mr. Jus. Grier

Dissenting: Mr. Jus: Clifford.

	William Mason jr & William C. Taylor, surv'g Comm'rs &c	In error to the Supreme Court of the State of Missouri
42	vs	
	Charles A. Carpenter	

This cause came on to be heard on the transcript of the record from the

Supreme Court of the State of Missouri and was argued by Counsel. On Consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr. Jus. Grier.

Dissenting Mr. Jus. Clifford

Wm Glasgow Jr. & William C. Taylor. Surv'g Commrs. &c. vs. Elizur Blanchard

93

Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by Counsel. On Consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs

per Mr. Jus. Grier

Dissenting Mr. Jus. Clifford.

Wm Glasgow jr. & William C. Taylor Surv'g Comm'rs &c. pltffs in err
vs.
John Hogan. deft in err

114

To error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Jr Mr Justice Grier dissenting. Mr. Jus. Clifford.

Wm Glasgow jr & William C. Taylor, Surv'g Comm'rs &c pltffs in err
vs.
James A. Hardy. deft in err

115

To error to the Supreme Court of the State of Missouri

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and

was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Pr. Mr. Jus. Grier.

Dissenting- Mr. Jus. Clifford.

Wm Glasgow Jr. & William G. Taylor Surv. Genl &c. vs. Christopher G. McLean } In error to the Supreme Court of the State of Missouri

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Pr. Mr. Jus. Grier.

Dissenting Mr. Jus. Clifford.

Robert Swann, Appt
vs.
Amos Hannigan, John
S Beacham, Geo. P. Beach
am, Samuel Beacham
am, Lewis Beacham.

Appeal from the Circuit Court of the United States for the District of Maryland.

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this Court that the decree of the said Circuit Court in this Cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Maryland.

per Mr. Justice Nelson

The City of Carondelet, Pltff in Err
vs
The City of Saint Louis.

In error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Jn. Mr. Jus. Catron.

Wm C. Woodruff & Robert M. Fleming, survivors of Wm E. Woodruff, deceased, Appts
vs
Wm Nelson, Edward S. Dennis, Sherburne Sears, Francis Barrett & Aaron Cohen.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Southern District of New York and was argued by Counsel - On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

Jno. Mc. Jus. Wayne

John C. Woodruff, Robert M. Henning, Survivors of Nat. C. Woodruff deceased. vs. Appts. William Nelson, Edwd. S. Dunn. Francis Burrill, Shubael Sears, & Aaron Cohen. Appeal from the Circuit Court of the United States for the Southern Dist. of New York

80

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the

same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of New York

Pr. Mr. Justice Wayne.

Josiah A. Noonan vs. Appts John B. Lee. 1111

On consideration of the motion of Mr. Woodcock to dismiss this cause and of the argument of Counsel thereupon had as well in opposition to as in support thereof, it is now here ordered by the Court that the said motion be and the same is hereby overruled.

Peter Comingoe vs. Appts James Taylor's Exrs. 117

The argument of this cause was continued by Mr. Stevenson of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday February 11th 1862. 15396

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron.
Samuel Nelson, Associate
Robert C. Grier, Justices
Nathan Clifford
Noah H. Swayne

Ward H. Lamon, Esquire, Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon. Reverdy Johnson it is ordered that Timothy Farmer Esquire of Salem State of New York, be admitted to practice as an Attorney and Counsellor of this Court and he was accordingly.

Tuesday February 11th 1862. Continued.

On motion first made to the Court in this behalf by Hon Wm. Foster it is ordered that Hiram B. Crosby Esquire of Connecticut be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

Peter Conway &c
vs Appts
James Taylor's Exrs

The argument of this cause was continued by Mr. Stanbery of Counsel for the appellants.

John Colyer Clerk &c
vs Appt
Wm H Sheldon

The argument of this cause was concluded by Mr. Loughborough of Counsel for the appellants

(Mr. Ch Jus Taney and Mr Jus Swayne did not sit in this Case.

118 The United States vs. Afpits M. G. Valleje's afsigns. The argument of this cause was commenced by Mr Black of Counsel for the afspellants

Proclamation being made the Court is ad journed until tomorrow morning at eleven o'clock.

13399

Wednesday February 19th 1862.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
James M. Wayne,
John Catron
Samuel Nelson, Associate
Robert C. Grier Justices.
Nathan Clifford
Noah H. Swayne

Ward H. Lamon Esquire Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon S. A. Glenn, it is ordered that James A. Dudley, Esquire of Davenport, State of Iowa be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Field it is ordered that George N. Titus Esqure of New York City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The United States vs. Appts
118 M. G. Vallejo's assigns

The argument of this Cause was commenced by Mr. Black of Counsel for the appellants and by Mr. McKenzie and Mr. Hy Johnson of Counsel for the appellees.

The United States vs. Appts
97 M. G. Vallejo

On the motion of Mr. J. A. Green it is now here ordered by the Court that his appearance as Counsel for the appellants be and the same is hereby stricken out.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Thursday February 13th 1862.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney. Chief Justice
James M. Wayne,
John Catron,
Samuel Nelson, Associate
Robert C. Grier, Justices.
Nathan Clifford,
Noah H. Swayne

Ward H. Lamon, Esquire, Marshal
William Thomas Carroll. Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Hawley it is ordered that John Linnaman, Esquire, of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr B A Hill it is ordered that David Noggle Esquire of Louisville State of Kentucky be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The United States
vs. Appts
M. G. Vallejo's assigns

The argument of this cause was commenced by Mr Key Johnson of Counsel for the appellees and continued by Mr. Gwin of Counsel for the appellants

118

The United States
vs Appts
Ramona Emilio de Wilson.

Appeal from the District Court of the United States for the Southern District of California.

120

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and upon the motion of Mr. Attorney General

Bars of counsel for the respondents, It is now here considered, ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Jr. Jm. Ch. Jus. Taney

John G. Jabusah et al vs. Charles B. Harwell

125 Pltffs in Er.

The argument of this cause was commenced by Mr. Johnson of counsel for the plaintiffs in error and continued by Mr. Stanbery of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday, February 11th 1842. 15 mon.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
James M. Wayne,
John Catron,
Samuel Nelson, } Associate
Robert C. Grier, } Justices
Nathan Clifford,
Noah H. Swayne,
Wm. H. Lamon, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Stanbery, it is ordered that Robert K. Noble, Esquire, of Columbiana, State of Ohio be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

15405. Friday, February 14th 1862 Continued.

On motion first made to the Court in this behalf by Mr. Gillet, it is ordered that Elnathan B. Forbush, Esquire of Buffalo, State of New York be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bartlett, it is ordered that Edward G. Tobin Esquire of Boston State of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The United States. vs. Appeals Thos. O. Larkin et al. 223

Mr. Black now proceeded to argue in support of the motion filed on the 13th Inst. to dismiss this appeal. Whereupon this Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider.

John G. Aubusch et al.
125 vs. pltffs in er.
Charles B. Harwell.

The argument of this cause was continued by Mr. Hawley of counsel for the defendant in error

Jefferson Branch of the State Bank of Ohio at Steubenville
1113 vs. pltff in er.
Alexander Skelly.

Franklin Branch of the State Bank of Ohio
220 vs. pltff in er.
The State of Ohio.

On the motion of Mr Stanbery of counsel for the plaintiff in error in No. 220 and with the assent of Mr. Wilson of counsel for the plaintiff in error in No 1113 and of the counsel for the defendants in error in both cases, it is ordered that these two causes be argued together when No 1113 is reached.

Samuel Verdin
130 vs. pltff in er
Isaac Coleman.

This cause was argued by Mr. Gillet and submitted on a printed argument by

15 on 7 Friday February 11th 1842 Continued -

by Mr Mace for the plaintiff in error and also submitted on a printed argument by Mr. Baird of Counsel for the defendant in error.

Ex parte In the Matter of Nathaniel Gordon. On an application for an alternative writ of Prohibition

vey right

to the Judges of the Circuit Court of the United States for the Southern District of New York, and its officers and the United States Marshal restraining them from further proceedings in this Cause, and also for a writ of Certiorari Commanding them the said Judges, to return and send up the papers, proceses and all proceedings in the said Court in this cause to this Court.

Mr. Mean of Counsel for the petitioner Nathaniel Gordon argued in favor of the said application. Whereupon this Court not being now here sufficiently advised of and Concerning what order to make in the premises took time to Consider.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney, Chief Justice,
James M. Wayne,
John Catron,
Samuel Nelson, } Associate
Robert C. Grier, } Justices.
Nathan Clifford
Noah H. Swayne

Ward H. Lamon, Esquire, Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

223. The United States
- vs. -
Thomas C. Larkin et al.

On consideration of the motion made by Messrs Black & Edwards on a prior day of the present term, to wit, on the 13th ultimo, and of the argument of Counsel thereupon had, It is now here ordered by the Court that the said motion be and the same is hereby overruled.

William L. Johnston		In error to the Circuit
121	vs.	Court of the United States
William Jones and		for the Northern District
Sylvester Marsh.		of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Opr. Jm. Mes. Swayne.

John C. Breen		In error to the Su
103	vs.	preme Court of the
Eliza M. Kenyon.		State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and was argued by counsel. On consideration whereof it is now here ordered and adjudged

by this Court that the judgment of the said Supreme Court of the State of Pennsylvania in this cause be and the same is hereby affirmed with costs.

Pr. Mr. Jus. Nelson

Alexander K. Woods
vs
Stiff.
The County of Lawrence
a Corporation of Pennsylvania

107

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania and on the points or questions upon which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by Counsel on consideration whereof it is the opinion of this Court:

1st That there was authority in the

County of Lawrence constitutionally and by the proper construction of the Act of the 6th of February 1853 to subscribe to the stock as that was done, and that the bonds issued in payment of the County subscription to the Railroad Company are valid in the hands of the plaintiff and all bona fide holders of them.

2d. That there was no deficiency in the action of the Grand Jury in setting forth the terms in which the County subscription should be made.

3rd That the County of Lawrence was authorized to issue such bonds as they passed to the Railroad Company in payment of its subscription to the North-western Railroad Company.

4th That the sale of the County bonds by the Railroad Company at less than par does not avoid those bonds in the hands of the purchaser.

Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

Per Mr. Jus. Wayne.

The President & Directors of the Ohio & Mississippi R.R. Co. pltffs
vs
Henry D. Wheeler. deft

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Indiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and upon the point or question upon which the Judges of the said Circuit Court were opposed in opinion and which was certified to this Court for its opinion agreeably to the act of congress in such case made and provided, and was argued by counsel - On consideration whereof it is the opinion of this Court that the Circuit Court has not jurisdiction of the case on the points presented by the pleadings.

Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

Jos. Mr. Ch. Jus. Taney

Monday February 17th 1862, Continued -

Ex parte: in the Matter of Nathaniel Gordon. On an application for an alternative Writ of Prohibition to the Judges of the Circuit Court of the United States for the Southern District of New York and its officers and the United States Marshal, restraining them from further proceeding in this Case, and also for a writ of certiorari, commanding them the said Judges to return and send up the papers, proofs, and all proceedings in the said Circuit Court in this Case to this Court:

On consideration of the motion made by Mr Dean of Counsel for the petitioner on last Friday the 14th instant for the aforesaid writs or either of them and of the argument of the said Counsel, it is the opinion of the Court that it has no jurisdiction in the case and it is thereupon now here ordered by this Court that the said motion be and the same is hereby overruled

Jn. Mc Ch. Jus. Taney

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday February 18th 1862. 130511

Pursuant to adjournment the Court met this morning at the Capitol

Present,

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson Associate
Robert C. Grier Justices.
Nathan Clifford
Ward H. Lamon, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

The United States. vs. Asylum
11th
Robert B. Nebeigh

The argument of this cause was commenced by Mr. Shunk of counsel for the respondents and continued by Mr. Gillet of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

1863

Wednesday February 19th 1862.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron.
Samuel Nelson. Associate
Robert C. Grier. Justices
Nathan Clifford.
Ward H. Lamon Esquire, Marshal,
William Thomas Carroll, Clerk,

Proclamation being made the Court is opened.

Vicente Miramontes et al heirs of Candelario Miramontes vs. Appts The United States. Appeal from the District Court of the United States for the Northern District of California.

2nd

Mr Attorney General Bates (per Mr Black) of counsel for the appellees having filed an appeal together with a transcript of the record of this cause duly certified by the Clerk under the seal of the District Court of the United States for the Northern District of California and

having stated that the appellants had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal now here upon the Court in pursuance of the ninth rule of this Court to have this appeal docketed and dismissed - On consideration whereof it is now here ordered, adjudged and decreed by this Court that the appeal from the District Court of the United States for the Northern District of California be and the same is hereby docketed and dismissed and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

Per Mr. Ch. Jus: Taney

117 The United States vs Appts Robert B. Vallejo. The argument of this cause was Continued by Mr. Reverdy Johnson of Counsel for the appellants and Continued by Mr. Black for the appellants.

1037. Wednesday, February 19th 1862. Continued.

The United States
vs. Appts
Mariano G. Vallejo

This cause was argued by Mr. Black of counsel for the appellants and by Mr. Reverdy Johnson of counsel for the appellee.

The United States.
vs. Appts
John Nelson

This cause was argued by Mr Black of counsel for the appellants.

Hodges Admr &c
vs. Appts
Leslie Combs.

The argument of this cause was commenced by Mr. Ky Johnson of counsel for the appellants, and continued by Mr. Bradley for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday. February 19th 1863. 13055.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney. Chief Justice.
James M. Wayne.
John Catron.
Samuel Nelson
Robert C. Grier.
Nathan Clifford
Ward H. Lamon, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

A. Hodges admr. &c. vs. Leslie Combs. 132 Appeals

The argument of this cause was concluded by Mr. Rowley Johnson of Counsel for the appellants.

1303 Thursday. February 20th 1862 Continued.

Watts Sherman,
133 vs. Plffs in Er
James M. Smith Recvr &c

The argument of this cause was commenced by Mr. Porter of Counsel for the plaintiffs in error, and continued by Mr Gaulson of Counsel for the defendant in error.

Lunaan Sherman & Co.
131 vs. Plffs in Er
James M. Smith Recvr &c

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
James M. Wayne
John Catron
Samuel Nelson, Associate
Robert C. Grier, Justices.
Nathan Clifford

Ngra H. Lamon, Esquire, Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in that behalf by Hon Reverdy Johnson it is ordered that Robert Davis C. Walker, Esquire of Philadelphia, State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

John A. Washington &al. vs. Jefferson. Marshall L. Ogden, Trustee. 170

Mr Carlisle having filed a suggestion of the death of John A. Washington and a stipulation of counsel that Richard B. Washington his sole nothing creditor should be made a party plaintiff in error moved the Court accordingly: Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Vicente Miramontes &al heirs at law of Candelario Miramontes, deceased. vs. Appts The United States. 296

Mr. Mallonpall of counsel for the appellants having suggested to the Court that the appellants were prepared to file the record and have the case docketed pursuant to the rules of this Court, moved the Court to recall and amend the decree entered by this Court on the 19th instant docketing and dismissing this appeal. On consideration

whereof it is now hereordered by the Court that the decree of the 19th instant docketing and dismissing this appeal be and the same is hereby vacated and annulled, and that the appellants have leave to try this cause and have the same docketed in conformity to the rules of this Court.

Watts Sherman
133 vs. Appellees. The argument of these Causes was concluded by Wm. Peck of Counsel for the plaintiffs in error.
James M. Smith, Receiver.

Herman, Sherman & Co
134 vs. Appellees.
James M. Smith, Receiver.

Richard Pindell, Appt
135 vs.
Napoleon B. Mulliken et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Shepley and Mr Glover of Counsel for the appellees.

1863 Friday February 21st 1862, Continued.

136 John Feeney
vs
Jeremiah Howe.

This cause was argued by Mr. Field and Mr. Remedy Johnson of Counsel for the plaintiff in Error and submitted on a printed argument by Mr. Ellingwood of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne,
John Catron,
Samuel Nelson, Associate
Robert C. Grier, Justices
Nathan Clifford
Ward H. Lamon, Esqr. Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

The Court having been invited by both houses of Congress to attend the commemoration of Washington's Birth day, in the Hall of the House of Representatives, adjourned until Monday morning at eleven o'clock.

1863. Monday, February 2d 1863.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable James M Wayne
John Catron,
James Nelson, } Associate
Robert C. Grier } Justices.
Nathan Clifford.

Ward H. Lamon, Esquire Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Upon the opening of the Court Mr. Justice Wayne remarked to the Bar:

"This Court having been informed that the other departments of the Government would not transact any business to day as a mark of respect to the President in his affliction, I am instructed to announce that this Court will from consideration of the same kind adjourn over until tomorrow."

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday, February 25th 1862. 15066.

Pursuant to adjournment the Court met this morning at the Capitol

Present,

The Honorable James M. Wayne,
John Catron
Samuel Nelson Associate
Robert C. Grier Justices
Nathan Clifford

Hon H. Lamon, Esqre. Marshal.
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Gillet, it is ordered that Hamilton H. Robinson, Esquire, of New York City, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Tuesday February 25th 1862, Continued

George St. Foster
111 vs Appeals
Wm H. Goddard

Wm H. Goddard
112 vs Appeals
George St. Foster.

On the motion of Mr. Goodrich of counsel for the respondent it is now here ordered by the Court that an additional hour be granted him for the argument of this cause.

George C. Bates
137 vs. Pitts &c
The Mill. Cant & R.R. Co.

The argument of this cause was commenced by Mr. Wells of counsel for the plaintiffs in error, and continued by Mr. Loy of counsel for the defendants in error

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday, February 26th 1862. 1065.

Pursuant to adjournment the Court met this morning at the Capitol

Present,

The Honorable James M. Wayne
John Catron
Samuel Nelson, } Associate
Robert C. Grier } Justices
Nathan Clifford.

Ward H. Lamon, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. B. A. Hill, it is ordered that William E. Harding, Esquire of Racine, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

1006 Wednesday February 26th. 1862. Continued

George C. Bates
137 vs. Jeffries.
In Illinois Court 1856

The argument of this cause was continued by Mr Loyd and Mr Noyes of counsel for the defendants in Error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday, February 29th 1872.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne.
John Catron.
Samuel Nelson. } Associate
Robert C. Grier. } Justices.
Nathan Clifford.
Ward H. Lamon Esqre. Marshal.
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Gillet it is ordered that Calvin C. Burt Esquire of New York City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

George C. Bates
vs
Illinois Cent. R.R. Co.
137

The argument of this cause was continued by Mr. Noyes of counsel for the defendant in error and concluded by Mr. Wills for the plaintiff in error.

Thursday. February 27th 1862. Continued.

138. The United States vs. Plffs in Er. Jeremiah G. Cashiel et al. This cause having been called for argument and no counsel appearing ready to proceed therewith it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

139 Frederick R. Leonard et al vs Plffs in Er Chauncey Davis et al. This cause was argued by Mr. Van Arman of Counsel for the defendants in error and submitted on a printed argument by Mr. Russell of Counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday, February 25th 1842. 1307

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable James M. Wayne,
John Catron,
Samuel Nelson,
Robert C. Grier
Nathan Clifford
Noah H. Swayne

Henry H. Lemon, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Lord it is ordered that William H. Beach Esquire of New York City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Gillet it is ordered that Wm H Beach, Esquire of New Haven State of Connecticut be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carlisle it is ordered that William C. Traphagen Esquire of New York City be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

Frederick B. Lumaris &al.
vs. Jeffs in Error
Chauncey B. Davis &al.

The argument of this Cause was Concluded by Mr. Van Arman of Counsel for the defendants in Error.

George Law.
vs. Jeffs in Error.
Alexander Cross.

The argument of this Cause was commenced by Mr. Gillet of Counsel for the plaintiff in error, and Continued by Mr. Lord of Counsel for the defendant in Error.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday March 3. 1862.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable James M. Wayne
John Catron.
Samuel Nelson, } Associate
Robert C. Grier. } Justices
Nathan Clifford,
Noah H. Swayne,
Wm H. Lamon Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Wm. Rogers, it is ordered that Robert B. Vandalkenburg, Esquire, of Bath, State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carlisle it is ordered that William C. Traphagen Esquire of New York City be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

Frederick B. Lemare &al. vs. Jeffries Chauncey H. Davis &al.

The argument of this cause was concluded by Mr. Van Arman of Counsel for the defendants in Error.

George Law. vs. Jeffries. Alexander Cross.

The argument of this cause was commenced by Mr. Gillet of Counsel for the plaintiff in error, and continued by Mr. Lord of Counsel for the defendant in Error.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday March 3d 1862. 150 [illegible]

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable James M. Wayne.
John Catron.
Samuel Nelson, Associate
Robt C. Grier. Justices.
Nathan Clifford,
Noah H. Swayne.

Wm H. Lamon Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Wm. Rogers, it is ordered that Robert B. Vanderkemp, Esquire of Bath, State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Edmund Rice
96 vs Plff in Er
The Minnesota &
both Western Railroad Co

In Error to the
District Court of
the United States
for the District of
Minnesota

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Minnesota and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said District Court with directions to overrule the demurrer filed by the defendants, to issue a writ of inquiry to ascertain the amount of the plaintiff's damages, and after the return of the inquisition to enter judgment in his favor

per Mr. Justice Clifford

Dissenting
Mr: Jus. Wayne
" " Nelson

John Clifton Claud
of the Brig Walter Palmer
her tackle &c: Appts
vs
William H. Sheldon

Appeal from the
Circuit Court of
the United States
for the Southern District
of New York

83

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of New York

Mr Jus. Grier

Monday March 3d 1862, Continued

	The United States	Appeal from the District
117.	Appts	Court of the United States
	Robert B. Ashley	for the Southern District
		of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby remanded to the said District Court with directions to dismiss the petition of the claimant.

Mr. Mc Jus. Grier

	Joseph Bryan	In error to the Circuit Court
104.	vs pltff in er	of the United States for the
	The United States	District of Columbia

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of Columbia, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed and that this cause be and the same is hereby remanded to the said Circuit Court with direction to award a venire facias de novo

Per Mr. Justice Wilson

No. 119. The United States vs Appts John Wilson

Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and was argued by Counsel. On consideration whereof,

Monday March 3d 1862 continued—

it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed and that this Cause be and the same is hereby remanded to the said District Court with directions to enter a decree confirming the claim in the name of the original claimant or to his legal representatives according to the opinion of this Court

per Mr. Justice Wilson

129. John Maguire vs Hiram Tyler et al

In error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Misso-

-ri in this cause be and the same is hereby affirmed with costs

by Mr Jus: Catron

97. The United States vs Hipt. Harriman S. Gallego

Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by Counsel On consideration whereof it is the opinion of this Court that the original grant to Sagura Pina is a good and valid grant and that the same should be affirmed Whereupon it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause in so far as it confirms

the original grant be and the same is hereby affirmed.

per Mr. Justice Haynes.

214. Thomas H. Wright respt
vs
Wm J. F. Hill
appt

On the motion of Mr. Stanbery, it is now here ordered that this case be argued at the same time with Nos. 143 & 220.

Leroy Dane
vs
Hill in er
Error 6 Ohio

The argument of this cause was continued by Mr. Reid of Counsel for the defendant in error and by Mr. Dillet of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow morning at 10 o'clock.

Tuesday March 4th 1862. 140.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable James M. Hanson
John Watson
Samuel Nelson Associate Justices
Robert C. Grier
Nathan Clifford
Isaiah D. Hanson

Ward H. Lamon Esquire Marshal,
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

140. Secretary Navy vs Gillis et al Haycraft Cross

The argument of this cause was concluded by Mr. Gillet of counsel for the plaintiff in error.

Tuesday March 4th 1862 continued

141. George S. Foster vs H. H. Goddard

142. H. H. Goddard vs George S. Foster

The argument of these causes was commenced by Mr. Sohier of Counsel for the complainants and continued by Mr. Goodwin of Counsel for the Respondent

Solution being made the Court is adjourned until to-morrow morning at eleven O'clock

Wednesday March 5th 1862.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable James M. Morgan
John Coburn
Samuel Gibson — Associate Justices
Robert G. Scott
Nathan Clifford
Neale H. Swayne

Hurd H. Sumner, Esquire Marshal
William Thomas Conrad Clerk

Proclamation being made the Court is opened.

Josiah A. Isham
vs
John B. Dix

On the motion of Mr. Gillet of Counsel for the appellant and with the assent of Mr. Doolittle of Counsel for the appellee. It is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

144

1805. Wednesday March 5th 1862 continued

	George D. Foster	The argument
141.	vs Appt	of these causes
	W. H. Goddard	was continued by
		Wm Goodrich of
	W. H. Goddard	Counsel for the
142.	vs Appt	respondent and
	George D. Foster	concluded by
		Wm Bartlett
	for the complainant	

	Frances H. Wright	On the motion of
94.	vs Admr &c Appt	Wm Starbuck, It
	Wm & A. Dill	is now here or-
		-dered by the Court

that the order of the 3d instant directing that this cause should be argued with No 1132 220 be and the same is hereby rescinded and annulled

	The Jefferson Branch of the	This cause was argued
	State Bank of Ohio at Steubenville	by Wm Linton of
143.	vs Plff in Er	Counsel for the
	Alexander Stobbs	Plaintiff in error and sub-

-mitted on a printed argu-

-ment by Wm Herring of Counsel for the defendant in error

Proclamation being made the Court adjourned until to-

-morrow morning at seven O'clock

Thursday March 6th 1862. 15056.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson Associate Justices
Robert C. Grier
Nathan Clifford
Noah H. Swayne

Wood H. Jones Esquire Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

Franklin Branch of the Sol. Court of Ohio
vs
State of Ohio

This cause was argued by Mr. Stanbery of Counsel for the plaintiff in error and submitted on a printed argument by Mr. Murray of Counsel for the defendant in error

230

Priscilla Ann Thompson &c.
vs
Jeff. in Error
Francis Gilman et al

146.

The cause having been called for ar

Thursday March 6th 1862 continued

gument and no counsel appearing ready to proceed therewith, it is therefore now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court

146. The United States vs Jeffs in re Hanson Hastings Admr &c

This cause having been called for argument and no counsel appearing ready to proceed therewith, it is therefore now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court

147. Wilson Commissioner &c Sam'l &c vs James Nicholson et al

This cause having been called for argument and no counsel appearing ready to proceed therewith, it is therefore now here ordered by the Court that this cause be and

the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

148. Thomas C. Hicks vs Nelson Coleman's ext — The cause having been called for argument and no counsel appearing ready to proceed therewith it is therefore now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court

149. Joseph Andrews vs Charles F. Hunter — This cause having been called for argument and no counsel appearing ready to proceed therewith, it is therefore now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

Thursday March 6th 1862. continued

130. Thomas H. Seagrue vs Plff in er Saml S. Hobson & al

The cause having been called for argument and no ground of pairing ready to proceed therewith it is thereupon now here ordered by the Court that the cause be and the same is hereby postponed to the first of the next Term. pursuant to the 26th rule of Court.

131 Lewis H. Smith vs Plff in er Henry Fitzhugh & al

The argument of this cause was commenced by Mr. Rogers I counsel for the Plff in error and continued by Mr. Smith and Mr. Bryant of Counsel for the defendants in error

Further hearing made the Court is adjourned until to-morrow morning at seven O'clock

Friday March 7th 1862

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Mason
John Calhoun
Samuel Nelson Associate Justices
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Hon Ward H. Lamon Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court opened

On motion first made to the Court on this day by Mr. C. D. Smith it is ordered that Abram Baldwin Esquire of Columbus, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

291 The People of the State of New York &c. vs. The Commrs. of Taxes &c.

Mr. Attorney General Bates moved the Court for leave to enter a rule in this case in the name and behalf of the United States for the reasons set forth in his motion for the rule. Whereupon the Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

293. The United States vs. John, alias called Johnny

Mr. Attorney General Bates of Counsel for the plaintiffs moved the Court to set down this case for argument on a future day during the present term to be named by the Court. Whereupon the Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider

Sunday March 7th 1862 continued

225. Chas H. Russell vs Henry G. Ely & al

Mr Dwight of Counsel for the defendant in open Court for leave to submit this cause nunc pro tunc for the reasons set forth in his written motion filed this date. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises doth time to consider

22b. Austin Dunmore & al vs Myers Henry Hicks & al

Mr Smith of Counsel for the appellants moves the Court for leave to submit this cause nunc pro tunc for the reasons set forth in his written motion filed this date. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises doth time to consider

1893 Saturday March 4th 1893 continued

Ferdinand L. Clark
vs
Wm H. G. Hancock

The motion to dismiss this cause was argued by Mr. Carlisle in support thereof and by Mr. Fin nald in opposition thereto

151. Lucius K. Scott
vs
Henry Fitzhugh et al

The argument of this cause was continued by Mr. Sedgwick of Counsel for the defendants in error and concluded by Mr. Rogers for the plaintiff in error.

152. Wm H. Gaines et al
vs
Jarvis Thompson &c.

On the motion of Mr. May of Counsel for the defendants it is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

Friday March 7th 1862 continued

The Bank of the Republic

vs

The People of Harrisburg &c

153.

This cause having been called for argument and no Counsel appearing ready to proceed therewith it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court

Charles Chappell

vs

David H. Williamson

154.

This cause was submitted to the Court for consideration of the Court on the record and printed arguments by Mr. Dixon of Counsel for the plaintiff in error and by Mr. Hatch and Mr. Tillet of Counsel for the defendant in error

Richard Christmas

vs

John H. Russell &c

155.

This cause having been called for argument and no counsel ap=

pearing ready to proceed therewith it is therefore now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court

186. John Donaldson et al vs Wells James Bryan admr et al

This cause having been called for argument and no counsel appearing ready to proceed therewith it is therefore now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

187. James Brown vs Wyatt Eugenia L. Bass

This cause having been called for argument and no counsel appearing ready to proceed therewith it is therefore now here ordered by the Court that this cause be and the same is hereby post-

-pened to the foot of the docket pursuant to the 25th rule of Court.

155. James Dixon vs William H. Johnson

This cause having been called for argument and counsel appearing ready to proceed therewith it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court

160. James Harkness et al vs Isaac Underhill

The argument of this cause was commenced by Mr Hyde of counsel for the appellants and continued by Mr Hall of Counsel for the appellee

Proclamation being made the Court is adjourned until Monday morning at Eleven O'clock C

1067

Monday March 11th 1867.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson Associate Justices
Robert C. Grier
Noah H. Swayne

Ward H. Lamon, Esquire Marshall
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

Mr Justice Wayne announced to the Bar that the Court would not hear the argument of any case after Thursday the 14th instant, nor of any motion after Friday the 21st instant, and that the Court will adjourn on Tuesday the 25th instant.

130

Samuel Gordon
vs
Isaac Coleman

In error to the Supreme Court of the State of Indiana

Monday March 11 1867 ordered 1795

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Indiana and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr Jus Grier

John S. Hodges adm'r of Isaac Hodges dec'd. William S. Hodges and James Sloo. Appts vs Leslie Combs

Appeal from the Circuit Court of the United States for the District of Columbia

1797

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the

decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Jus Grier

Wells Sherman
vs
James M. Smith.
Assn of Com on Affs
Bank at Buffalo

133. In error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the Court of Appeals in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of New York, and that this cause be and the same is hereby remanded to the

Monday March 11th 1861 continued

said Supreme Court to whom the record of proceedings and judgment of the said Court of Appeals in the premises have been remitted and now remain

In Wm Jas. Wilson

Alexander, Sherman.

Watts Sherman, Wm. Butler Duncan
Chas H. Delany & David Duncan,
Surviving the firm of
Duncan, Sherman & Co.
vs
James H. Smith Receiver
of Clinton Ins Co's Bank
at Buffalo

In Error
to the Supreme
Court of the
State of
New York

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York and was argued by Counsel, On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the Court of Appeals in this cause be and the same is hereby affirmed

with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of New York, and that this cause be and the same is hereby remanded to the said Supreme Court to whom the record of proceedings and judgment of the said Court of Appeals in the premises have been remitted and now remain.

Per Mr. Jus Nelson.

137 Jerry C. Bates vs. The Illinois Cent. R.R. Co. In error to the Circuit Court of the United States for the District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the

said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr Jus. Catron

135. Richard Tindell
vs
Napoleon B. Hilliker et al

Appeal from the Circuit Court of the United States for the District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr Jus. Catron

170. John T. Washington & al pltffs in err vs Hubbon D. Ogden Judge &c. On consideration of the suggestion of John T. Washington's death, and of the motion made by Mr Carlisle in this case on the 21st ultimo and of the argument of Counsel thereupon had, it seems to the Court that as the cause of action survives in this case to the remaining plaintiff in error there is no necessity or propriety in making the representatives of the deceased parties, whereupon it is now here ordered by the Court that the said motion be and the same is hereby overruled

173. The United States as pltffs John, otherwise called Johnny &c. On consideration of the motion made in this case on the 7th instant, it is now here ordered by the Court that this cause be and the same is hereby set down for argument on this day next the 17th instant.

225. Ellis H. Russell
vs
Henry G. Ellis & al

On appeal from decree of the Court made by Mr Smith on the 7th inst. for cause shown & submit this cause it is now here ordered by the Court that the said motion be and the same is hereby overruled.

226. Justin Simmons & al
vs
Henry Hicks & al

On consideration of the motion made by Mr Smith on the 7th instant for cause shown & submit this cause, it is now here ordered by the Court that the said motion be and the same is hereby overruled.

256 Ferdinand A. Clark Compl't
vs
William H. B. Hackett.
Benjamin C. Clark & al

Appeal from the Circuit Court of the United States for the District of New Hampshire

This cause came on to be

heard on the transcript of the record from the Circuit Court of the United States for the District of New Hampshire and it appearing to the Court that there has been no citation in this cause pursuant to the provisions of the judiciary act of 1789. It is therefore on the motion of Mr. Cranch now here ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed for the want of prosecution.

Mr. Mr Justice Wayne.

391. The People of the State of New York &c vs Jeffries & Commissioners of Sales &c

On consideration of the written motion filed and made by Mr Hanay Counsel for the United States although not a party to the above entitled cause to intervene therein for the reasons and

purposes recited at large in said motion it is now here ordered by the Court that the leave so prayed for be and the same is hereby granted.

per Mr. Jus. Strong

160. James Hathaway et al vs Isaac Underhill

The argument of this cause was concluded by Mr. Hyde of Counsel for the Apts

161. H. J. McCook vs Jefferson Spencer Smith

This cause was submitted to the candid attention of the Court on the record and printed arguments by Mr. Archibald Williams of Counsel for the plaintiff in error, and by Mr. Kellogg of Counsel for the defendant in error.

162. Bank of the State of S. Carolina vs Assgt Commercial National Bank Co.

This cause was submitted to the Court on the record and printed arguments by Mr. J. J. Lowndes of Counsel for the appellants and by Mr. C. F. Bradley of Counsel for the appellees.

163. J. D. Harris Executrix vs Affirmed W. F. Campbell & al

166. Elisha Vance vs Affirmed John Campbell & al

These causes were argued by Mr. J. L. Lowndes of Counsel for the Defendants in error and submitted on printed arguments by Messrs Dr and Fisher of Counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow morning at eleven O'clock

Tuesday March 11th 1862

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James H. Hayne
John Catron
Samuel Nelson Associate Justices
Robert C. Grier
Noah H. Swayne

Ward H. Lamon, Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon C. Cushing, it is ordered that John J. Peet Esquire of Portland, State of Maine be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Hon C. Cushing, it is ordered that Thomas H. Russell Esquire of Boston State of Massachu

sotts be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr Carlisle it is ordered that Benjamin F Sheppard Esquire of Cornish State of New York be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly

The Mayor Aldermen & Citizens of Pittsburgh in Pennsylvania

vs

Jeffrey Vibbard & Company

301

In error to the Circuit Court of the United States for the Western District of Pennsylvania

Mr Bradley of Counsel for the defendant in error having filed and read in open Court the following certificate to wit:

"In the Circuit Court of the United States for the Western District

of Pennsylvania, at Pittsburgh

Edwin A. Edwards a citizen
of the State of New York,
Herman C. Von Post a citizen
of the State of New York and
William Augustus Fridge a citizen
of the free city of Bremen
Germany, Partners doing business
at New York in the State of
New York under the firm and
style of Edwards & Company

301. vs

The Mayor Aldermen & Citizens of
Pittsburgh & Pittsburgh a citizen
of the State of Pennsylvania &
having its office & place of business
in said State.

In Debt
No 43
of May
Term
1858

Action
of
Debt

I Henry Sproat Clerk
of the Circuit Court of the United States
for the Western District of Pennsylvania
do hereby certify that on the 23d day of
May 1859 a judgment was entered in
favor of the plaintiffs against the

defendants for the sum of Twenty Six hundred and eighty eight $\frac{50}{100}$ ($2688.^{50}), and costs of suit, and that on the 13th day of August 1859 a Bill of Exceptions was sealed and a Writ of Error allowed.

I further certify that I was directed to make a certified copy of the record, which I have done and that it has remained in my office ever since, that I this morning called on the Lehigh Solicitor and asked him if the Lehigh desired the record to be sent to the Supreme Court and he said they did not desire to have it sent, as he believed they did not intend to proceed any further in the matter.

In testimony whereof I have hereunto subscribed my name and affixed the seal of the said Court at Pittsburgh this 27th day of February A.D. 1862

A. Sproul, Clerk

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error, now here moved the Court the Court in pursuance of the 9th rule of this Court to have this writ of error docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that this writ of error to the Circuit Court of the United States for the Western District of Pennsylvania be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding

per Mr. Jus. Wayne

1118 Tuesday March 11th 1862. Continued

Ex parte. In the matter of Thomas B. Valentine & al assignees & legal representatives of Juan Miranda

On petition for a writ of Mandamus to the Judge of the District Court of the United States for the Southern District of California

Mr Black of Counsel for the petitioners moved the Court for a writ of mandamus to the Judge of the District Court of the United States for the Southern District of California commanding him to allow the petitioners to intervene in the case of Ellen C. White upon the Admiralty side of said District Court in accordance with the decree and mandate of this Court in said case. Whereupon the Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

163. Sarah Ann Hausknecht
vs
Sarah L. Blanchard & al

The argument of this cause was concluded by Mr Lemoin for the defendant in error

166. Elisha Lamar
vs
John Campbell

164. Silas D. Hull & al
vs
Henry L. Bloomer

This cause having been called for argument and no counsel appearing ready to proceed therewith, it is therefore now ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court

165 H. L. Hughes & al
vs
Hosea Yates

This cause having been called for argument and no Counsel appearing ready to proceed therewith it is

thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

163 Augustus D. Williamson vs Jeff'n et Ux Ux Dublin — This cause having been called for argument and no counsel appearing ready to proceed therewith, it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court &c.

164. James K. Simpson et al vs Jeff'n et Ux Susan Dull et al — This cause having been called for argument and no Counsel appearing ready to proceed therewith, it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court

Tuesday March 11th 1862 continued &c

	John L. Heffel		This cause
67.	vs	pltff in er	was submitted
	Abraham Isaac et al		to the consid-
			eration of the

Court on the record and printed argu-
ments by Messrs Lee & Parker of
Counsel for the plaintiff in error and
by Mr Stanbery of Counsel for the
defendants in error.

	J. F. Washington et al		The argu
170	vs	pltff in er	ment of this
	H. D. Ogden. Trustee &c		cause was
			commenced

by Mr Hyde of Counsel for the plaintiffs
in error and continued by Mr Carlisle
of Counsel for the defendant in error.

By Proclamation being made the Court
is adjourned until tomorrow morning at eleven o'clock

1107. Wednesday March 12th 1862

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable James M. Hoge
John Scarburgh
Samuel Wilson
Robert C. Grier
Jacob H. Swope
Ward H. Lamon Esq Marshal
William Thomas Carrol, Clerk

Assistant Justices

Proclamation being made the Court opened

100 S. A. Hoge & al vs Appts Steamship Northerner &c

Mr. Merritt of Counsel for the appts moved the Court to submit these cases on printed briefs at the present term for the reasons set forth in his written motion filed on the 11th instant. On consideration whereof

101. S. A. Hoge & al vs The Steamship Nail Steamship &c

it is now here ordered by the Court that the said motion be and the same is hereby overruled.

170. John A. Washington vs H. D. Ogden. Error to &c. The argument of this cause was continued by Mr. Fuller of Counsel for the defendant in error and concluded by Mr. Washington for the plaintiff in error.

171. Thomas J. Wales vs Wm. J. Caldwell. The case having been called for argument and it appearing that a stipulation by the Counsel of the respective parties to continue the cause has been filed, it is thereupon now here ordered by the Court that this Cause be and the same is hereby continued to the next term of this Court.

12 my Wednesday March 13th 1867. Continued

Charles Seeligson vol
vs
The Beverly Rubber Co.

The argument of this cause was commenced by Mr Merwin of Counsel for the appellants.

Resolution being read it is ordered until to morrow morning at eleven o'clock

Thursday March 13th 1862

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable James H. Hayes
John Catron
Samuel Nelson Associate Justices
Robert C. Grier
Isaac N. Swayne
Ward H. Lamon, Esquire Marshall
William Thomas Carroll Clerk.

Proclamation being made the Court was opened

On motion ordered made to the Court in this behalf by Hon. J. Dean it is ordered that James Thompson Esquire of the City be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly

On motion ordered made to the Court in this behalf by Mr. Todd it is ordered that Henry D. Mc Jones Esquire of New York City be

admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly

Charles Goodyear & al. vs. The Bergen Rubber Co. } Mr. Curtis of Counsel for the appellants

having filed a suggestion of the death of Charles Goodyear one of the appellants, and the appearance of Charles Goodyear, administrator of the said Charles Goodyear deceased moved the Court for an order substituting the said administrator and making him an appellant in lieu of said Charles Goodyear, deceased. On Consideration whereof it is now here ordered by the Court that the appearance of Charles Goodyear, administrator as aforesaid be and the same is hereby made an appellant in this cause with the right to prosecute this appeal

Thursday March 13th 1817 Continued

Charles Sedgwick et al
vs
The Lessee Dubbers &c

The argument of this cause was continued by Mr Hemin of Counsel for the appellants and by Mr Cushing of Counsel for the appellees and concluded by Mr D. R. Curtis for the appellants.

Proclamation being made the Court is adjourned until to morrow morning at eleven O'clock

1853 Sunday March 14th 1853

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier
Peter V. Daniel
Associate Justices

Ward H. Lamon, Esquire Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

Wm. H. Jones
vs
Thos H. Green et al

W. Thomas (per W. Gillet) having stated that his appearance had been entered for the defendants through his misapprehension moved the Court to have the same stricken out. On Consideration whereof it is now here ordered by the Court that the said appearance be and the same is hereby stricken out

346.

Friday March 14th 1862 continued 1124

26 The United States vs Appts Charles Covillaud et al

Mr Crittenden of Counsel for the appellees moved the Court to recall and annul the decree entered in this cause on the 23d December last, and for leave to him to argue this cause in favor of the appellees for the reasons set forth in his written motion filed the date in this case to which Mr Atty Genl Bates and Mr Stanton of Counsel for the appts assented. Whereupon this Court not being now here fully advised of and concerning what order to render in the premises took time to consider.

173 Robert F. Morris vs Wm S. Appleton et al

This cause having been called for argument and no Counsel appearing ready to proceed therewith, it is thereupon now here

ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

William H. Bell
174 vs Affirmed
The Mobile & Ohio R.R.Co

This cause having been called for argument and no counsel appearing ready to proceed herewith it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court

The Mississippi & Missouri R.R.Co
175 vs Appeal
James Ward

It is now here ordered by the Court that this cause be and the same is hereby continued to the next term

176 Samuel Seeke
Pl. As Plaintiff in Er
The Heirs of Jno Adams
Def.

No cause having been called for argument and no counsel of Plaintiff ready to proceed therewith, It is therefore now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of court

117 John A Foster & al
Pl. As Appellants
Hugh A. Campbell & al
Def.

202 John A Foster Clerk &c
Pl. As Appellant
Samuel Swayze. Exhx & al.
Def.

On motion of Mr Carter of Counsel for the appellants and with the consent of the Hons Attorney of Counsel for the Appellees in both these causes. It is now here ordered by the Court that these two causes be argued together

1837 Friday March 24th 1837 continued

John A Dunbar et al
vs
Nicholas A. Comegys et al

The argument of these causes was commenced by Mr R. J. Carter of Counsel for the Appellants

No 302.

John A Dunbar et al
vs
Samuel Comegys Exr et al

and continued by Mr J. H. Sweet of Counsel for the Appellees.

Proclamation being made the Court is adjourned until Monday morning at eleven O'clock

Monday March 17th 1862.

Court met pursuant to adjournment & the Court met this morning at the Capitol

Present

The Honorable Peyton S. Symes Chief Justice

James W. Dwyne

John Watson

Samuel Love Assoc. Justices

Robert C. Grier

Nathan Clifford

Noah H. Swayne

Hon. M. Lomax Esquire Marshal

William Thomas Carroll Clerk

Proclamation being made the Court is opened

Amendment of 67 Rule in Equity

Ordered, That the last paragraph in the 67th rule in equity be rescinded, and the rule be amended as follows, Either party may give notice to the other, that he desires the evidence to be adduced in the cause to be taken orally, and thereupon all the

witnesses to be examined shall be examined before one of the examiners of the Court, or before an examiner to be specially appointed by the Court, the examiner to be furnished with a copy of the bill, and answer if any; and such examination shall take place in the presence of the parties or their agents, by their Counsel or Solicitors and the witnesses shall be subject to cross examination, and re-examination, and which shall be conducted as near as may be in the mode now used in Common Law Courts The depositions taken upon such oral examination shall be taken down in writing by the examiner in the form of narrative unless he determines the examination shall be by question and answer, in special instances, and when completed shall be read over to the witness and signed by him in the presence of the parties or counsel or such of

them as may attend, provided, if the witness shall refuse to sign the said depositions, then the examiner shall sign the same; and the examiner may, upon all examinations, state any special matters to the Court as he shall think fit. And any questions or questions which may be objected to shall be noted by the examiner upon the depositions, but he shall not have power to decide on the competency, materiality or relevancy of the questions. And the Court shall have power to deal with the costs of incompetent immaterial or irrelevant depositions or parts of them as may be just.

The compulsory attendance of witnesses, in case of refusal to attend, to be sworn, or to answer any questions put by the examiner, or by counsel or Solicitor, the same practice shall be adopted as is now practiced

with respect to witnesses to be produced on examination before an examiner of said Court on written interrogatories.

Notice shall be given by the respective counsel or solicitors to the opposite counsel or solicitors or parties of time and place of the examination for such reasonable time as the examiner may say by order in such cause.

When the examination of witnesses before the examiner is concluded the original depositions authenticated by the signature of the examiner shall be transmitted by him to the Clerk of the Court to be there filed of record in the same manner as provided in the 30. Sec: of Act of Congress September 24. 1789

Testimony may be taken on commission or the court may by written interrogatories and cross interrogatories on motion by

the Court in term time, or by a Judge in vacation for special reasons satisfactory to the Court or Judge.

On motion first made to the Court in this behalf by Wm Attorney General Bates it is ordered that Anthony J. Keasby, Esquire, of Trenton, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Jeremiah S. Black it is ordered that John D. Pickard Esquire, of New York City, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

Of

Monday March 17th 1862 Continued

On motion print made to the Court in this behalf by James M. Garlick Esqure, it is ordered that Theodore M. Pomeroy Esquire of Ashtown State of New York, be admitted to practice as an Attorney and Counsellor of this Court- and he was sworn accordingly

On motion print made to the Court in this behalf by John Tibbet, Esqure, it is ordered that Orson H. Palmer Esqure of Elmira State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly-

John Conway, John L. Simmons, John Silver, Ernest Kleinschmidt, Bernard Silmon, Joseph Schenberg, Thomas Kindsworth & Edward Neff Pls in Error vs James Taylor, Executor of James Taylor deceased, & Robert Weir Defts in Error

In Error to the Court of Appeals for the State of Kentucky

12 J.

This cause came on to be heard on the transcript of the record from the Court of Appeals for the State of Kentucky and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be and the same is hereby affirmed with costs

per Mr. Jus. Swayne

John G. Talbott and John T. Talbott vs Plffs in Error Charles D. Farrell

123

In error to the District Court of the United States for the District of Wisconsin

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin and was argued by Counsel On consideration whereof it is now here

ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Wisconsin

per Mr Justice Clifford

Jeremy Dunn
Plff in error
vs
Alexander Ross.

In error to the Circuit Court of the United States for the Southern District of New York

1140.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court

that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr Justice Swayne

163. Gustavus S. Hunnicutt as Sheriff in Error Isaiah T. Clapp and William Dynn

In error to the Circuit Court of the United States for the Southern District of Ohio

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit

Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo

Pro: Mr Jas: Nelson

166. Elisha Tanner vs Jeff in error John Campbell. William Alison and David S. Hoadley

In Error to the Circuit Court of the United States for the Southern District of Ohio

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is

hereby remanded to the said Circuit Court with directions to award a venire facias de novo

Jno. M. Jas. Wilson

The Jefferson Branch of the State Bank of Ohio at Steubenville
vs
Hezekiah Kelly

In Error to the Supreme Court of the State of Ohio

143

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio and was argued by Counsel, On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded with costs and that this cause be and the same

is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to the opinion of this Court and as to law and justice shall appertain.

Per Wm Jas Hayne

Jonathan Dimmick Plff in Error vs. The State of Ohio

In Error from the Supreme Court of the State of Ohio

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Ohio and was argued by Counsel. On Consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs and that this cause be and the

same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to the opinion of this Court and so to law and justice shall appertain

Jn. McKinley

Jas. A Hoyt & Edwin Hudson Claimants of the Steamer A. Lawrence, her tackle &c. Appellants

74

vs

Wm. H. Jeffers & Edwd. L. Henry

Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed,

Tuesday March 17th 1835, continued

by the Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of New York

per Mr. Chief Justice Taney

The Calais Steamboat Company Appts.

vs.

Charles Saunders admr. of John Van Ness dec'd

Mr. Curtis of Counsel for the appellant having filed and read upon Court a suggestion of the diminution of the record in this case in the words and figures following, viz:

"The Calais Steamboat Company, appellants in the above entitled cause, respectfully represent that the transcript of the record filed in this Court in said cause, is not complete, in this, that certain

pleadings filed in two suits in the Supreme Court of New York brought by Marshal A. Mathis, administrator of John Van Pelt, against Wm H. Vanderbilt and Lemuel S. Vail and filed and used in evidence at the hearing in the Court below together with the statement of an account, returned by the Master to whom the cause was referred to take an account, and filed and used also as evidence at the hearing in the Court below, are omitted in said transcript and the same are necessary to the hearing in this Court.

That the record has not been in the hands of Counsel, but for a short time, the cause not being expected to be heard at this term, and that the absence of this testimony from the record, has not been known to the appellants or to their

Counsel moved within a few days last past.

Wherefore your petitioners pray for a writ of Certiorari to be directed to the Judges of the Circuit Court of the United States for the District of Maine, commanding them to certify to this Court, whatever omissions and errors shall be found in the records and proceedings of said Court in this cause.

By reason of which omissions and errors aforesaid the said Counsel now here moved the Court to award a writ of Certiorari to be directed to the Judges of the Circuit Court of the United States for the District of Maine commanding them that searching the records and proceedings of said Court in this cause they shall certify to this Court under the seal of the said Circuit Court whatever omissions

and errors shall be found. On con-
sideration whereof it is now here
ordered and decreed by this Court
that a writ of Certiorari be and
the same is hereby awarded to be
issued forthwith and to be directed
to the Judges of the Circuit Court
of the United States for the
District of Maine commanding them
that searching the records and
proceedings aforesaid they forth-
with certify to this Court
under the seal of the said
Circuit Court whatever omissions
and errors shall be found in this
cause and return the same with
the said writ of certiorari forth-
with to this Court

per Mr Chief Justice Taney

50. The United States
vs
James G. Morehead adm'r
of William Speight deceased

On consideration
of the motion
filed by Mr
Sunderland on
the 20th of

1148 Monday March 17. 1862. Continued

February last to amend the decree entered in this case on the 27th January last and of the arguments of Counsel thereupon had as well in support of as against the said motion it is now here ordered by the Court that the said motion be and the same is hereby overruled

Jn. M. C. Jus. Supreme

John A. Dayton sol

117. vs Appeals

Hugh L. Camp sol

The argument of this case was continued by M. C. J. Russell of Counsel for the appellants

John L. Dayton sol

302. vs Appeals

Danl. Sawyer & Bro sol

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock

Tuesday March 15th 1842

Court

Present.

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier
Noah H. Swayne
Associate Justices

Ward H. Lamon, Esquire Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion print made to the Court in this behalf by T. Thomas Smith, Esquire, it is ordered that J. Blodget Britton Esquire of Philadelphia State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Of

1847. January Term 11th to 1862 continued

177. John F. Dexter sol
vs Appt.
Hugh L. Campbell sol

The argument of this cause was concluded by Mr. B. R. Curtis of Counsel for the Appellants.

John F. Dexter sol
202. vs Appts
Samuel Sawyer & al sol

293 The United States
vs Pltfs.
John Alexander called
Johnny Ge (Cherokee)

The argument of this cause was commenced by Mr. Keasbey of Counsel for Plaintiffs and continued by Mr. Kennedy Johnson of Counsel for the defendant

Proclamation being made the Court is adjourned until tomorrow morning at seven o'clock

Wednesday March 19. 1862. 1545

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon.ble Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson Assoc. Justices
Robert C. Grier
Nathan Clifford
Noah H. Swayne

Hand M. Lamon, Esquire Marshal
Wm. Thomas Carroll Clerk

Proclamation being made the Court opened

On motion first made to the Court in this behalf by Hon H. Hamlin, it is ordered that Wm. J. Dean, Esquire of Ohio, that of Maine be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made by

the Court on the behalf by James H. Carlile Esquire, it is ordered that Lambert Tree Esquire of Chicago State of Illinois be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The Commonwealth of Massachusetts Compt

vs

The State of Rhode Island

Bill in Chancery

Sirg!

It is now here considered and ordered by this Court that under the final decree entered on the 16th of December last in this case providing that the taxation of the costs shall be made "during the present term" the said taxation should be kept open until the last day of the term

per Ch. Jus. Taney

295.	The United States vs John Adams called Johnny Fo (Forbes)	The argument of the cause was conducted by Mr Key Attorney of Counsel for the Plaintiffs
61	John Gurney vs William Cox Jeremiah Scott	The argument of this cause was conducted by Mr Wirt & Mr Johnson of Counsel for the Plaintiff in error
24	The United States vs Wm Charles Greathead &c	by leave of the Court first had and obtained

Mr Crittenden argued this cause on behalf of the defendants.

Proclamation being made the Court is adjourned until Friday Morning 10 O'Clock

Friday March 21st 1862

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson Associate Justices
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Ward H. Lamon Esquire Marshall
William Thomas Carroll Clerk.

Proclamation being made the Court was opened

On motion ordered by the Court on the motion of C. Delafield Smith Esquire, it is ordered that Edward S. Hartford and Charles H. Jacobson Esquires of New York City, be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly

Friday March 21st 1862 Continued from 1857

Order of Court

Upon having been an Associate Justice of this Court appointed since its last Session, it is ordered that the following allotment be made of the Chief Justice and Associate Justices of said Court among the Circuits, agreeably to the Act of Congress in such case made and provided, and that such allotment be entered of Record, viz:

For the First Circuit	Nathan Clifford	Associate Justice
For the Second Circuit	Samuel Nelson	Associate Justice
For the Third Circuit	Robert C. Grier	Associate Justice
For the Fourth Circuit	Roger B. Taney	Chief Justice
For the Fifth Circuit		Associate Justice
For the Sixth Circuit	James M. Wayne	Associate Justice
For the Seventh Circuit	Noah H. Swayne	Associate Justice
For the Eighth Circuit	John Catron	Associate Justice
For the Ninth Circuit		Associate Justice

170

William L. Turner
vs
Writ in Error
Marshall L. Ogden Trustee
of the Chicago Land Company

In error to the
Circuit Court of
the United States
for the Northern
District of Illinois

This cause came on to be heard
on the transcript of the record from the
Circuit Court of the United States for
the Northern District of Illinois and
was argued by Counsel. On consider-
ation whereof it is now here ordered
and adjudged by this Court that
the judgment of the said Circuit
Court in this cause be and the
same is hereby reversed with costs
and that this cause be and the
same is hereby remanded to the said
Circuit Court with directions to
award a venire facias de novo

per Mr Justice Swayne

Nebraska City
vs
Miller
John G. Campbell

On the motion of Mr Sloan
Ordered that his
appearance heretofore
entered for the plaintiff
in error is now here ordered by the
Court that the said appearance be and
the same is hereby stricken out

Bryan D. Miner
vs
Miller
Lenhard Wellenschlager
Semmen Powers

The motion
to dismiss
was argued
by Mr Sloan
in support
thereof and by Mr Coombs in oppo-
sition thereto.

Bryan D. Miner
vs
Miller
Lenhard Wellenschlager
Semmen Powers

In error to
the Supreme
Court of the
State of
Minnesota

This cause came on to be
heard on the Transcript of the record

from the Supreme Court of Minnesota and was argued by Counsel. On Consideration whereof it is now here considered ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

Per Mr. Ch. Jus Taney

70 On petition In the matter of Thomas D. Lubertus and assignee & legal representatives of Juan Miranda

On petition for a writ of Mandamus to the Judge of the District Court of the United States for the Southern District of California

The application for a writ of Mandamus filed in this case on Tuesday the 14th instant was argued by Mr Gibbet and Mr Green in support thereof and by Mr Attorney General Bates and Mr Cushing in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning

what order to render in the premises
took time to consider

19. The United States vs Samuel J. Hensley

Mr Black moved the Court to set aside the decree entered in the cause on the 9th of December last and to continue the case to the next term for trial and filed the written argument of Mr Attorney General Bates and Mr E. M. Stanton thereto. Whereupon the Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

Proclamation being made the Court is adjourned until Monday morning at eleven O'clock

Monday March 24th 1862

Pursuant to adjournment the Court met this morning at the Capitol

Present:

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson Associate Justices
Robert C. Grier
Nathan Clifford &
Noah H. Swayne
Wm H. Lamon, Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion leave made to the Court in this behalf by Mr Attorney General Bates it is ordered that Irving Ives Esquire of the Dist City, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion leave made to the Court in this behalf by Mr

Jeremiah D. Black Esq was ordered that William D. Black Esq was ordered that William Jay Hackett Esquire of New York City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

Order of Court

Ordered That the twenty first Rule in Admiralty be abolished and that the following be substituted in its place

In all cases of a final decree for the payment of money, the Libellant shall have a writ of eye action, in the nature of a ferri facias commanding the Marshal or his deputy to levy and collect the amount thereof out of the goods and chattels lands and tenements, or other real estate of the defendant or defendants

Tuesday March 24th 1863 Continued

George J. Foster
vs
William H. Goddard

Appeal from the Circuit Court of the United States for the District of Massachusetts

This cause came on to be heard on the transcript of the record on the appeal of Geo. J. Foster from the Circuit Court of the United States for the District of Massachusetts and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the appeal of Geo. J. Foster be and the same is hereby dismissed with costs

per Mr Justice Swayne

William H. Goddard
vs
George J. Foster

Appeal from the Circuit Court of the United States for the District of Massachusetts

This cause came on to be heard on the transcript of the record on the appeal of William H. Goddard from the Circuit Court of the United States for the District of Massachusetts and was argued by Counsel. On consideration whereof it is now ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Massachusetts

per Wm. Jas. Sumner
Clerk

Hamilton J. McCord
vs
Spencer Darrah

In error to the Circuit Court of the United States for the Southern District of Illinois

This cause came on to be heard on the transcript of the record from the

Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a judgment for the defendants upon the special verdict

per Mr. Justice Swayne

The Bank of the State of South Carolina
vs
The Commercial Mutual Insurance Co. Edward Jr. Birdsall & James D. Skinner

163

Appeal from the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

States for the District of Rhode Island and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court and as to law and justice may appertain

Dissentiente

Mr. Justice Clifford for Mr. Justice Swayne

Charles Seedyman Jr. Pl.
vs
The Lovely Indian Settler &c. Defts

1/3

Appeal from the Circuit Court of the United States for the district of Massachusetts.

Ordered, that this case

to continued to the next term, and that it then be enquired especially upon the following points:

1st Do the defendants in the immediate application of the substance used by them, use vulcanized india rubber, or india rubber having the substantial properties of vulcanized india rubber?

2nd Have the vendees of the licensees under the Goodyear patents a right to use the articles bought by them, in a manner described in the patents to Goodyear?

It is not intended to restrict the counsel from arguing any other points in the case they may see fit to discuss

per Mr Jus. Drummond.

Monday March 24th 1862 Ordered 43

139

Frederick B. Stewart &
Chauncey P. Davis
vs
Jeffries & Co
Chauncey Davis, Alfred E.
Seeves, & John C. Dore &
Theodore Ingell

Error to
the Circuit
Court of the
United States
for the District
of Michigan

This cause came on to be
heard on the transcript of the record
from the Circuit Court of the United
States for the District of Michigan
and was argued by Counsel. On
consideration whereof it is now here
ordered and adjudged by this Court
that the judgment of the said
Circuit Court in this cause be
and the same is hereby reversed
with costs, and that this cause
be and the same is hereby re-
manded to the said Circuit
Court with directions to award
a venire facias de novo

per Mr Justice Clifford

John L. Smith et al Claimants of Ship Marcellus vs Hugh L. Campbell et al

Appeal from the Circuit Court of the United States for the District of Massachusetts

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Massachusetts

for the Jus. Curiæ

202.

John J. Lowber et al
Claimants of the Ship
Hercules
vs Appellants
George Littlefield & Mary
Morgan, Exty of Samuel P. Morgan
dec'd

Appeal from
the Circuit
Court of the
United States
for the District
of Massachusetts

This cause came on
to be heard on the Transcript of the
record from the Circuit Court of the
United States for the District of
Massachusetts and was argued by
Counsel: On consideration whereof
it is now here ordered, adjudged and
decreed by this Court that the
decree of the said Circuit Court in
this cause be and the same is here
by affirmed with costs and inter
est until paid at the rate of six
per annum that similar decrees
bear in the Courts of the State
of Massachusetts.

Jno. Wm. Jas. Story

115 The United States vs Appellants H. J. Tilley et al Appellees

Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed and that this cause be and the same is hereby remanded to the said District Court with directions to enter a decree for the United States dismissing the petition of the

Wednesday March 24th 1852 Continued 116

Marmaduke
Dishong
Mr Jas Green
Mr Jas. Wingo

Jas Robertson

Lewis M. Hall
vs
Hamilton Fowler
Henry Seymour
& Wm. L. Hodges
and Andrew Miller

In error
to the Circuit
Court of the
United States
for the Northern
District of
New York

131

This cause came on to be
heard on the transcript of the record
from the Circuit Court of the
United States for the Northern District
of New York and was argued by
Counsel. On consideration whereof
it is now here ordered and adjud-
ged by this Court that this cause
be and the same is hereby dismissed
for the want of jurisdiction

Jas. M. Jas Robertson

Charles Blagett
vs
Error to
the District
Court of the
United States
for the District
of Iowa
David H. Hillsman

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Iowa and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs.

per Mr. Jas. Wilson

67 John K. Moffitt vs Abraham Van. John H. Van & William J. Scott

Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr. Jus. Nelson

293. The United States, Plffs vs John otherwise called Johnny, otherwise called John Lance, otherwise called Jackalow.

On Indictment

On certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of New Jersey

This cause came on to be

1870. Monday March 24. 1869 Continued

heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey and on the points or questions upon which the judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion, agreeably to the act of Congress in such case made and provided and was argued by Counsel. On consideration whereof it is the opinion of this Court that judgment should be arrested and a new trial granted by the said Circuit Court in this cause.

Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court

per Mr. Jus Nelson

160

James P. Hawkins &
Maria Hawkins
vs
Isaac Underhill

Appeal from
the Circuit Court
of the United
States for the
Northern District
of Illinois.

This cause came on to be
heard on the transcript of the record
from the Circuit Court of the
United States for the Northern
District of Illinois and was
argued by Counsel. On consider-
ation whereof it is now here
ordered, adjudged and decreed
by this Court that the decree
of the said Circuit Court in
this cause be and the same is
hereby affirmed with costs.

per Mr Justice Catron

Monday March 24. 1862 Continued

136. John Furniss vs Jeremiah Smith } Error to the Superior Court of the City of New York

This cause came on to be heard on the transcript of the record from the Superior Court of the City of New York being possessed of the record and proceedings upon a petition from the Court of Appeals of the State of New York and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

per Wm. Ch. Jus. Taney

100 | Ex parte. In the matter of Thomas B. Valentine & al Assignees & legal representatives of Juan Miranda

On consideration of the petitions filed and orders made in this cause on the 11th inst and of the arguments of Counsel thereupon had as well in support of as against the same, it is now here ordered and adjudged by this Court that the said writ be refused and that the said motion be and the same is hereby overruled.

Per Mr Justice Grier

12 | The United States vs Capt Samuel J. Hewston

On the motion of Mr Black it is now here ordered by the Court that the motion of Mr Black filed and made in this cause on the 21st instant be and the same is hereby continued to the next term of the Court.

256. The United States vs Appl Sebran Mc Cormac — Wm Attorney General Bates of Counsel for the appellants

moved the Court to rescind and annul the decree entered by this Court on a prior day of the present term to wit on Friday 3d of January docketing and dismissing this appeal. On consideration whereof it is now here ordered by the Court that the said decree be and the same is hereby rescinded and annulled upon the appellants having their record filed and the cause docketed pursuant to the rules of this Court and upon paying the fees due the Clerk in this cause

257 The United States vs Appl Wm Young Jones — Wm Attorney General Bates of Counsel for the appellants

moved the Court to rescind and annul the decree entered by this

Monday March 24th 1862 Coleman 1876

Court on a prior day of the present term to wit on Friday the 3rd of January dockeking and dismissing the appeal. On consideration whereof it is now here ordered by the Court that the said decree be and the same is hereby rescinded and annulled upon the appellants having there record filed and the cause docketed pursuant to the rules of this Court and upon paying the Costs due the Clerk in the cause

Proclamation being made the Court is adjourned to the time and place appointed by law.—

Minutes of the Supreme Court U. S. October Term 1861 [illegible]

At the Capitol of the United States in the City of Washington and District of Columbia, being the seat of the Judicial Government of the United States on the first Monday of December (being the first day of the same month,) in the year of our Lord one thousand, eight hundred and sixty two and of the Independence of the United States the Eighty seventh.

The Supreme Court of the United States met agreeably to law

Present

The Honorable James M. Mayo
Robert C. Grier
Nathan Clifford Associate Justices
Isaac N. Swayne
Samuel F. Miller
Ward H. Lamon Esquire Marshall
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

The Honorable Samuel F. Miller appeared and produced the

following Letters Patent and Oath of office which were read in open Court, and ordered by the Court to be recorded on the minutes of this Court in the following words, viz

Abraham Lincoln

President of the United States of America

To all who shall see these Presents, Greeting

Know Ye, that reposing special trust and confidence in the Wisdom, Uprightness and Learning of Samuel F Miller, of Iowa, I have nominated, and, by and with the advice and consent of the Senate do appoint him to be an Associate Justice of the Supreme Court of the United States; and do authorize and empower him to execute and fulfil the duties of that office according to the Constitution and Laws of the said United States, and to Have and to Hold the said office, with all the powers, privileges,

and emoluments to the same of right
appertaining, unto Him the said Samuel
F. Miller during his good behaviour

In testimony whereof I
have caused these Letters to
be made Patent and the
Seal of the United States
to be hereunto affixed.

Given under my
hand at the City of
Washington the Seventeenth
day of July in the year
of our Lord One thousand
eight hundred and
sixty two, and of the In-
dependence of the United
States of America the
Eighty seventh

Abraham Lincoln

Seal

By the President
William H. Seward
Secretary of State

I, Samuel F. Miller, do solemnly swear that I will support the Constitution of the United States of America.

And I also solemnly swear that I will administer justice without respect to persons; and will do equal right to the poor and to the rich; and that I will faithfully and impartially discharge and perform all the duties incumbent on me as an Associate Justice of the Supreme Court of the United States, according to the best of my abilities and understanding agreeably to the Constitution and laws of the United States. So help me God.

Sam: F. Miller

I, Roger B. Taney, Chief Justice of the Supreme Court of the United States certify that Samuel F. Miller this day came before and subscribed the foregoing oath and was by me duly sworn to the

same.

Given under my hand this 21st
day of July A.D. 1862

H. B. Laing

Mr. Parker Mayor announced to
the Bar that the Court would
Commence the Call of the docket
to morrow under the 96th
rule.

Proclamation being made the Court is
adjourned until to morrow morning at
eleven O'clock.

Tuesday December 2nd 1862

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
Samuel N. Wayne
Robert C. Grier
Nathan Clifford Associate Justices
Noah H. Swayne
Samuel F. Miller.

Ward H. Lamon, Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Attorney General Bates, it is ordered that William G. Stuart, Esquire, of Logansport State of Indiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by

Tuesday December 9th 1862 Continued ...

Mr Elliot, it is ordered that Nathaniel F. Crowley Esquire of the York Bar, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

111 John Hoffnagle vs Jeremiah Henry

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Lynde of Counsel for the plaintiff in error and by Mr Doolittle of Counsel for the defendant in error

128 Elias H. Russell vs Henry G. Colyer

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Doolittle of Counsel for the plaintiff in error and by Mr Lynde of Counsel for the defendant in error

Tuesday, December 9th 1862 continued

2.	The United States vs Jeff in Error Heiram Graves	This cause was argued by Mr Wells of Counsel for the appellants.
1	The United States vs Jeff Ind Indalecio Young &	On the motion of Mr Attorney General Bates of Counsel for the appellants, It is now here ordered by the Court that the decree in this cause abide the argument and decree in No 175, Chas. Forsyth vs The U. States.
3	Charles H. Statham, William F Swinburn & D. G. Hamilton Jeff in Error vs William H. Mann	In error to the Circuit Court of the United States for the District of Columbia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

States for the District of Columbia and the plaintiffs in error having been three times solemnly called by the Marshal to come into Court and prosecute this writ of error and failing to appear, it is thereupon on the motion of Mr. Gillet of Counsel for the defendant in error, now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs.

per Mr. Ch. Jus. Taney

3 The U. States vs Jefferson Jones & Stewart

This cause having been called for argument and no Counsel appearing ready to proceed therewith, it is now here ordered by the Court

4 The U. States vs Jefferson Charles Le Barron

This cause having been called for

argument and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

5. The U. States vs Jesse Walters sal

This cause having been called for argument and no counsel appearing ready to proceed therewith it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court

6. Wm. Walters sal vs The U. States

This cause having been called for argument and no counsel appearing ready to proceed therewith, it is now here

ordered by the Court that this cause be and the same is hereby post-poned to the foot of the docket pursuant to the 26th rule of Court.

David M. Hughes
vs
The U. States

This cause having been called for argument and no Counsel appearing ready to proceed therewith it is now here ordered by the Court that this cause be and the same is hereby post-poned to the foot of the docket pursuant to the 26th rule of Court.

John Sandys et al
vs
Robert Forsyth

This cause was argued by Mr. Ballance of Counsel for the plaintiffs in error and submitted on a printed argument by Mr. Williams of

Counsel for the defendant in error.

Charles Hallinan
vs
Jeff in err.
Supt &c. Supreme
Liabilities &c. &c. Eldred

Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and it appearing to the Court that Mr. Herriman the Counsel for the defendants in error has filed a confession of errors and a consent that the judgment of the said Circuit Court shall be reversed and the cause remanded for further proceedings. It is thereupon on the motion of Mr. Hallinan of Counsel for the plaintiff in error, now here

considered ordered and adjudged by the Court that the judgment of the said Circuit Court of the United States for the Northern District of Illinois, in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice.

per Mr. C. Jus. Taney

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'clock

Wednesday December 3d 1862.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney Chief Justice.
James M. Wayne
John Catron
Robert C. Grier Associate Justices
Nathan Clifford
Noah H. Swayne
Samuel F. Miller.

Ward H. Lamon, Esquire Marshall
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

Charles Ballance
vs
Jefferson
Samuel Hart, Elizabeth Hart,
James Sargent and
Henry D. Sargent.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for

the Northern District of Illinois, and it appearing to this Court that Mr Norman the Counsel for the defendants in error has filed a consent that the judgment of the said Circuit Court shall be reversed. It is therefore on the motion of Mr Dallmus of Counsel for the plaintiff in error, now here considered, ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice.

per Mr Ch. Jus Taney.

12. Wm Kellogg's heirs vs Robert Tansyth. This cause was argued by Mr Dallmus of Counsel for the plaintiff in error, and submitted on a

printed argument by Mr Williams of counsel for the deft in error

13. John Reynolds et al vs Allen et al Robert Forsyth

This cause was argued by Mr Ballance of Counsel for the plaintiffs in error and submitted on a printed argument by Mr Williams of Counsel for the defts in error.

14. Chas D. H. A. Taylor vs Allen et al Marcus Norton, late Coll.

It is now here ordered by the Court that this cause be argued with No 104 on the present docket of this Court

15. James L. Sullivan. Henry G. Sunland and Augustus A. Sunland vs Thomas Allen

In error to the Supreme Court of the State of Missouri

This cause came on to

be heard on the transcript of the record from the Supreme Court of the State of Missouri, and it appearing to the Court here that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the costs of the plaintiff in error pursuant to the 19th rule of this Court Whereupon it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court in order that the same may be proceeded with according to law and justice

per M. C. Jas Sunny

13195 Wednesday December 3d. 1862 Continued

	James G. Soulard, Henry G. Soulard & Benjamin F. Soulard	In error to the Supreme Court of the State of Missouri
16.	vs	
	Louis Clark	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and it appearing to the Court here that this is the second term at which this case has been called for argument, and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the costs of the plaintiffs in error pursuant to the 19th rule of this Court. Whereupon it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the Supreme Court in order that the same may be proceeded with according to law and justice

per M.r Ch. Jus Taney

17 Marion Jessup Complts
vs Plffs in Err
Manual Jessup Defdt. This cause having been called for argument and no Counsel appearing ready to proceed therewith it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the first day of the docket pursuant to the 24th Rule of this Court.

18 Thomas Slaven
vs Plffs in Err
Randall G. Higgins Defdt. This cause having been called for argument and no Counsel appearing ready to proceed therewith, it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the first day of the docket pursuant to the 24th Rule of this Court.

19. Thos S Congdon Complt
vs Plffs in Err
John Goodman Defdt This cause was argued by Mr. Higgs of Counsel for the Plffs in Error.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock

Thursday December 4th 1862

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron.
Robert C. Grier, Associate Justices
Nathan Clifford
Noah H. Swayne
Samuel F. Miller.
Ward H. Lamon, Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

Charles Wayne
21. vs Plff in Er
Robert S. Reeves

It is now here ordered by the Court that this cause be and the same is hereby postponed for the present and without prejudice

Jasper Strong
22. vs Plff in Er
The U States.

This cause having been called for argument and is counsel ap-

Jeaving ready to proceed therewith It is now
here ordered by the Court that this cause
be and the same is postponed to the
foot of the docket pursuant to the 26th
rule of this Court.

23 Thos. H. Sewell Jr. vs Hugh Torbert. This cause having been called for argument and no counsel appearing ready to proceed therewith. It is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court.

24 Thos. H. Sewell vs Jeff'n & Richard Tyler. This cause having been called for argument and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to

the 26th rule of this Court.

The Southern Steamship Co of New Orleans vs Jefferson Walters & Trustees of the Port of New Orleans

This cause having been called for argument and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court.

Henry A Wilson Joseph Holmes Wm H. Moss John H. Moss Moses Taylor Graham Fisher Henry Penfield John H. Hemingway Samuel D. Moses & Wm H. Thomas vs Louis J. Merwin

This cause came on to be heard on the transcript of the record from a Circuit Court of the United States

In error to the Circuit Court of the United States for the Southern District of Illinois

Thursday December 4th 1862 Continued ...

for the Northern District of Illinois and the plaintiffs in error having been three times solemnly called by the Marshal to come into Court and prosecute their writ of error, and failing to appear, it is thereupon, on the motion of Mr. Carlisle of Counsel for the defendant in error, now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with cost.

per Wm. Cl. Jus Taney

27. Hezekiah Lineham et al vs Ill. Cent. R. R. Co. et al

This cause was argued by Mr. Lynde of Counsel for the defendant in error

28. Joseph Ostermann et al vs Harvey Baldwin

This cause having been called for argument,

D

and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of this Court.

William Lamm
vs
Wm. Jefferson

This cause having been called for argument and no counsel appearing ready to proceed therewith it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of this Court.

29

John L. Green
vs
Henry Sheldon

This cause having been called for argument and no counsel appearing ready to proceed therewith, it is now here ordered by the

30

Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court.

The United States
vs
Hiram Grimes

On motion of the within application filed this day by Wm Hester of Counsel for the appellee and with the assent of Mr Coffey of Counsel for the appellant, It is now here ordered by the Court that leave be and the same is hereby granted to the Counsel for the appellee to file a printed argument in behalf of said appellee in this cause at any time before the 1st day of February next.

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock A.

Friday, December 5th 1862

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Robert C. Grier Associate Justices
Nathan Clifford,
Noah H. Swayne
Samuel F. Miller
Ward H. Lamon, Esquire, Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion just made to the Court on the behalf by Mr Carlisle It is ordered that D. M. Woolworth, Esquire of Omaha, Nebraska Territory, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion point made to the Court in this behalf by Mr. Tillet, it is ordered that James Robert Seymour of Peru, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

195. James C. Bronson and ats. vs. Assts. in Error Wisconsin & R. R. Co and C. Mr. Black. asks leave to intervene in this cause on behalf of Isaac Seymour, F. F. James and A. St. Cowdery and moved the Court to dismiss the appeal on the grounds set forth in the affidavit of F. F. James this date filed in the case. This was opposed by Mr. Carlisle of Counsel for the appellants. Whereupon it is now here ordered by the Court that this motion be argued on some future motion day.

952. John F. Callan vs John F. Hunt

Wm Carlisle of Counsel for the appellee moved the Court to dismiss the cause for the want of jurisdiction. To which motion Wm Mayo also of Counsel for the appellee united. Whereupon it is now here ordered by the Court that the said motion be and the same is hereby set down for argument on next Friday the 12th instant

1861 Dec 1 1861.

The United States vs Jas. Samuel J. Hensley

On consideration of the application of Wm Black and of the assent of Wm Stanton & Wm Hoy Esqrs Bates that the decree of this Court rendered in this case at the last term, to wit on the 9th of December 1861, should be reversed and the cause reheard. It is now here ordered by the Court that the said application be and the same is hereby denied and that the said

decree do stand.

William S. Hess, Charles S. Clark, Henry Lightner, James Hunt, Hiram C. Harding, Isaac Underhill, Irving Family, Tobias D. Bradley & Lyman H. Harding	In error to the Circuit Court of the United States for the Northern District of Illinois
31. vs Jeffersonian	
Edward Chase	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and the plaintiff in error having been three times solemnly called by the Marshal to come into Court and prosecute this writ of error and failing to appear, on motion of Mr. Carlisle of Counsel for the defendant in error it was ordered and adjudged by this Court that the

cause be and the same is hereby dis=
-missed with costs

per Mr Ch Jus Taney

William B. Ross Charles
S Church Henry Gaylher
James Lucas, & Thos G
Harding Affts in Er

vs

Edward Chase

In error to
the Circuit
Court of the
United States
for the Northern
District of Illinois

This cause came on to
be heard on the transcript of the
record from the Circuit Court of the
United States for the Northern Dist-
rict of Illinois, and the plaintiffs
in error having been three times
solemnly called by the Marshal to
come into Court and prosecute their
writ of error and failing to appear,
it is therefupon on the motion of
Mr Carlisle of Counsel for the de-
fendant in error, now here ordered
and adjudged by this Court that
this cause be and the same is

hereby dismissed with costs
for Appellees

John Stellmann,
Christopher Hemiricks
& Henry L. Parker
vs Appl.
55. Charles Goodyear, Assee
H. Day & Alexander Hay

Appeal from
the Circuit
Court of the
United States
for the District
of Maryland.

This cause came on
to be heard on the transcript of the
record from the Circuit Court of
the United States for the District
of Maryland, and it appearing to
the Court here that this is the
second term at which this
case has been called for argu-
ment and that neither party
is now prepared to argue the
same, it is considered by the
Court that this cause should be
dismissed at the costs of the
appellants pursuant to the
19th rule of this Court. Whereupon

it is now here ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court in order that the same may be proceeded with according to law and justice.

Jno. W. Gh. Jus. Jones.

34. Anson Bangs &c. vs The New Lodge &c. &c. This cause having been called for argument and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court

35. Henry Hardy &c. vs Benj. F. Jacaway &c. This cause having been called for argument and no counsel ap-

pearing ready to proceed therewith I it is
here ordered by the Court that this cause
be and the same is hereby postponed to
the foot of the docket pursuant to the
26th rule of this Court.

Henry H Brooks
vs. Jeffries &
C. Ashley's Exrs.

This cause having
been called for
argument and no
counsel appearing
ready to proceed therewith, I is therefore
now here ordered by the Court that this
cause be and the same is hereby
postponed to the foot of the docket
pursuant to the 26th rule of this
Court.

36

John K. Mitchell
vs
Jeffries &
Assee of C de St Mayent sd

37.

This cause
having been
called for argu
ment and no
counsel appearing ready to proceed therewith I is therefore
now here ordered by the Court that this cause be and
the same is hereby postponed to the foot of the
docket pursuant to the 26th rule of this Court

Proclamation being made the Court is adjourned

Monday December 8th 1862

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson Associate Justices
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller

Ward H. Lamon, Esquire, Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon C. H. Browning, it is ordered that Benjamin F. Jones Esquire of Chicago, Illinois C. L. Mc. Esquire of Lewisburg Iowa, James H. Spence Esquire of Dowagiac, Michigan, and W. J. Rivers Esquire of Dubuque Iowa, be admitted to practice as at-

torneys and Counsellors of this Court and they were severally sworn accordingly

Moses Strickland,
Jackson Hadley &
Charles E. Jenkins
vs
Olivier Armes,
Miles Armes &
Chas Armes Jr

27

In error to the District Court of the United States for the District of Wisconsin

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs and damages at the rate of ten per centum per annum.

per Mr Chief Justice Taney

38 Isaac H. Simpson et al vs Chas Lush et al Bailiff

The argument of this cause was commenced by Mr. Field of Counsel for the appellants and continued by Mr. Bowdoin of Counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson Associate Justices
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller

Henry D. Lamon Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion ordered that Nathan C. Sheffield Esquire of New York City be admitted to practice as Attorney & Counsellor of this Court and he was sworn accordingly.

On motion ordered by

the Court in their behalf by Mr. Gillet it is ordered that John S. Greene Esquire of Austin Texas, and W. K. Upham Esquire of Canton Ohio be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made in the Court in this behalf by Mr. Jacob Butler, it is ordered that David Tower Esquire of Burlington, Iowa Henry C. Henderson Esquire of Muscatine Iowa, and Robert Sherrard Jr. Esquire, of Steubenville, Ohio, be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

Isaac H. Simpson vs Stephen Baker

35. Appeals

The argument of this cause was continued by Mr. Bond of Counsel for the Appellee, and

Tuesday December 9th 1862 Continued

conducted by Mr. Talbott of Counsel for the appellants

39. G. H. Rutherford vs. Talbot & R. Sedden's Use

This cause having been called for argument and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of this Court.

40. Simon Hoffman vs. Jeffries & Maria J. Cannon's Use

This cause having been called for argument and no counsel appearing ready to proceed therewith it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of this Court.

1217. Tuesday, December 9th 1862. Continued.

411 Walter S. Robinson vs Jeff'n Co Iowa / James Eldridge

This cause having been called for argument and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of this Court.

412 William H. McPherson vs The State of Iowa

In error to the Supreme Court of the State of Iowa

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and it appearing to the Court here that this is the second term at which this cause has been called for argument and that neither party is now pre-

-pared to argued the same, it is con-
-sidered by the Court that this
cause should be dismissed at the
costs of the plaintiff in error pursu
-ant to the 19th rule of the Court
Whereupon it is now here ordered
and adjudged by this Court that
this cause be and the same is
hereby dismissed with costs, and
that this cause be and the same
is hereby remanded to the said
Supreme Court in order that the
same may be proceeded with
according to law and justice

Present Hon. Chief Justice Taney

73 Jared Thompson vs. This cause
as Plff in Er coming on
Henry H. Deerman called for
argument
and no counsel appearing ready to
proceed therewith, it is now here
ordered by the Court that this
cause be and the same is hereby

Court pursuant to the 96th rule of this Court.

44 George H. Bragg vs Jefferson Jonathan James

The argument of this cause was commenced by Mr. Cook for the plaintiff in error and continued by Mr. Roberts for the defendant in error

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier, Associate Justices
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H Lamon Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

The Honorable David Davis appeared and produced the following Letters Patent which were read in open Court, and ordered by the Court to be recorded on the minutes of this Court in the following words, viz:

"Abraham Lincoln

President of the United States of America
To all who shall see these Presents, Greeting:

Know Ye, That reposing special
trust and confidence in the Wisdom,
Uprightness and Learning of David
Davis of Illinois, I have nominated
and by and with the advice and
consent of the Senate do appoint
him to be an Associate Justice of
the Supreme Court of the United
States, and do authorize and em-
power him to execute and fulfil
the duties of that office according
to the Constitution and Laws of
the said United States and to have
and to hold the said office with
all the powers, privileges and emolu-
ments to the same of right appertaining unto him the said
David Davis, during his good
behavior.

In testimony whereof
I have caused these Letters
to be made patent and the seal
of the United States to be here-

unto affixed.

Done under my hand at the City of Washington the Eighth day of December in the year of our God one thousand eight hundred and sixty two and of the Independence of the United States of America the Eighty seventh.

Abraham Lincoln

By the President
William H. Seward
Secretary of State

I, David Davis, do solemnly swear that I will support the Constitution of the United States of America.

And I also solemnly swear that I will administer Justice without respect to persons and will do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incum-

best on me as an Associate Justice of the Supreme Court of the United States, according to the best of my abilities and understanding agreeably to the Constitution and laws of the United States.

So help me God

David Davis

I Roger B. Taney, Chief Justice of the Supreme Court of the United States, do hereby certify that David Davis this day came before me and subscribed the foregoing oath and was by me duly sworn to the same.

Given under my hand this twelfth day of December A.D. 1862.

R. B. Taney"

On motion first made to the Court in this behalf by Mr Hoover it is ordered that H. Stubbs Esquire of Mount Pleasant, Iowa, be admitted to

practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to this Court in this behalf by Mr. Gillet it is ordered that Philip J. Dalpin Esquire, of New York City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

137 J. Edgar Thompson et al vs P.P.P.R. Co. et al

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Platt Smith of Counsel for the appellants and by Mr. Henderson of Counsel for the appellees

George H. Gregg
vs Error to
Jonathan Haines

The argument of this cause was continued by Mr. Roberts of Counsel for the defendant in error and concluded by Mr. Combs of Counsel for the plaintiff in error.

141 Cohrnshin Coitz
vs Error to
John C. Campbell

This cause was submitted on the consideration of the Court and printed arguments by Mr. H. Thompson of Counsel for the plaintiff in error and by Mr. Woolworth of Counsel for the defendant in error.

45 Wm. Christy
vs Error to
H. H. Fridgeons adm.

This cause having been called for argument and no counsel appearing ready to proceed therewith It is now here ordered by the

Court- that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court-

46 H. H. Cook et al vs. Jeffs in er. & J. J. Bromley et al

This cause having been called for argument and no counsel appearing ready to proceed therewith it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court-

47. J. L. Hays & Wm C. Talbot vs. The Steamboat Northerner, her boat tackle &c. The Pacific Mail Steamship Co. Claits

Appeal from the Supreme Court of Washington Territory

This cause came

on to be heard on the transcript of the record from the Supreme Court of Washington Territory, and it appearing to the Court here that this is the second time at which this case has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the costs of the appellants pursuant to the 19th rule of this Court. Whereupon it is now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court in order that the same may be proceeded with according to law and justice

per M. C. Jus Taney

G. F. Symes & Wm. C. Talbot Owners of the Steamtug "Resolute" vs The Puget Sound Steamship Company

48

Appeal from the Supreme Court of Washington Territory

This cause came on to be heard on the Transcript of the record from the Supreme Court of Washington Territory and it appearing to the Court here that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same, It is considered by the Court that this cause should be dismissed at the costs of the appellants pursuant to the 19th rule of this Court. Whereupon it is now here ordered, adjudged and decreed by this Court that this cause be and the same is here-

by remanded to the said Supreme Court in order that the same may be proceeded with according to law and justice.

per Wm. M. Jas Piney

Emanuel Myers
vs
The Commonwealth of Penna.

In error to the Court of Quarter Sessions of Cumberland County State of Pennsylvania

This cause came on to be heard on the transcript of the record from the Court of Quarter Sessions of Cumberland County, State of Pennsylvania and it appearing to the Court here that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the costs

of the plaintiff in error pursuant to the 19th rule of this Court. Whereupon it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs and that this cause be and the same is hereby remanded to the said Court of Quarter Sessions in order that the same may be proceeded with according to law and justice

per Mr Chief Justice Taney

John Randall Jr &c. Pltffs
vs
Isaac C. Howard Appellee

50

The cause was argued by Mr Gale and Mr Evans of Counsel for the Appellee

Proclamation being made the Court is adjourned until to-morrow morning 11 O'clock

1831. Thursday December 11th 1862

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier Associate Justices
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Ward H. Lamon, Esquire, Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

John Randall Jr's Exr's
vs Appeals
Jacob C. Howard

This cause was further argued by Mr Evans of Counsel for the appellee and submitted on a printed argument by Mr Mayer of counsel for the appellants

51

51 Sylvester Langhorn vs Jefferson H. L. Hunley

This cause having been called for argument and no counsel appearing ready to proceed therewith it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court

On motion leave made to the Court in this behalf by Mr. Carlisle it is ordered that John D. Perry Esquire of Law be and he is admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

52 John Overton adm vs Jefferson G. W. & C. Childs

This cause having been called for argument and no counsel appearing ready to proceed therewith,

it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court.

53. Edmund W. Tebbs vs Jeff'n & Co H. T. & T. Mathis — This cause having been called for argument and no counsel appearing ready to proceed thereunto it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court

54 John J. Jackson sol vs Jeff'n & Co H. T. & T. Mathis — This cause having been called for argument and no counsel appearing ready to proceed thereunto it is now here ordered by the Court that this cause be and the same is hereby postponed to the

foot of the docket pursuant to the 26th rule of this Court.

James S. Montgomery
35 vs Jeffersonville
H. K. P. Hughes &c. This cause having been called for argument and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court.

H. C. Bowling
36 vs Jeffersonville
H. K. P. Hughes &c. This cause having been called for argument and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court.

57 James H. Wilson vs Jeff'n ce H. F. F. Mathis. This cause having been called for argument and no counsel appearing ready to proceed therewith, It is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court.

58 Charles C. McDermott vs Jeff'n ce H. F. F. Mathis This cause having been called for argument and no counsel appearing ready to proceed therewith, It is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court

Thursday December 11th 1862 Continued ...

Charles W. Bennett
vs
W. F. F. Mathis

This cause having been called for argument and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby transferred to the docket pursuant to the 96th rule of this Court.

Daniel Wilson
vs
Thos. Hall et al

This cause having been called for argument and no counsel appearing ready to proceed therewith it is now here ordered by the Court that this cause be and the same is hereby transferred to the docket of the docket pursuant to the 96th rule of this Court

1857 Thursday December 17th 1857 Continued

Josiah A. Noonan
65. vs Appl
John D. Dee

On the motion of W. Barrillo of Counsel for the appellee and with the assent of Mr. Gillet of Counsel for the appellant it is now here ordered by the Court that this cause be and the same is hereby passed for the present.

Augustus L. Lindsey sol
61. vs Appls
David Hawes sol.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Grant of counsel for the appellants and by Mr. Peaslee of Counsel for the appellees

John Doe sol
62 vs Appls
Union Bank of Florida

This cause having been called for argument and

no Counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court.

63. U. S. Lindsay & Co vs Jeffs m et Mr A. C. Johnsons & J. W. R. R. Co. This cause having been called for argument and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court.

64. The United States vs Jeffs m et J. J. Dushuille sub This cause having been called for argument and no counsel appearing ready to proceed therewith, it is now here ordered

by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 24th rule of this Court.

67. Priscilla A. Swanson & al. vs. Francis Gilman & al. This cause having been called for argument and no counsel appearing ready to proceed with the same it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 24th rule of this Court.

66. The U. States vs. Appts. H. Williams, adm'r. This cause having been called for argument and no counsel appearing ready to proceed therewith it is now here ordered by the Court that this cause be and the same is hereby postponed to the

foot of the docket pursuant to the
26th rule of this Court.

68. Wilson Clements ad pl vs Appts Jno Cochelson ad pl — This cause having been called for argument and no counsel appearing ready to proceed therewith it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court.

69. Thomas C. Moon vs Appt Wilson Clements ad pl — This cause having been called for argument and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court

No. 10. Joseph Andrews vs Jeffson et Chas. F. Howlett

This cause having been called for argument and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 24th rule of the Court.

No. 11. Thos. H. Seagrin vs Jeffson et Saml. D. Hobson sal

This cause having been called for argument and no counsel appearing ready to proceed therewith it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 24th rule of the Court.

The Chief Justice Taney gave notice to the Bar that the Court will hear motions to morrow and that on Monday next it will commence the call of the docket at 10 oc.

Adjournation being made the Court is adjourned until to morrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson . Associate Justices
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon, Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion ordered made to the Court in this behalf by Mr. Butler it is ordered that S. H. Hunton Esquire of Rockbridge County, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

1243. Friday December 13th 1861 Continued

George Culver and
John Farrington
impleaded with T. M. Bradley
103. vs Appeal in error
David D. Merriman

In error to
the District
Court of the
United States
for the District
of Minnesota

This cause came on to
be heard on the transcript from
the District Court of the United
States for the District of Minnesota;
and it appearing to the Court from
the stipulation on file, that the
matters in controversy had been
agreed and settled between the
parties. It is thereupon now here
on the motion of Mr. Carlisle
of Counsel for the plaintiffs in
error considered, ordered and adjudg-
ed by this Court that this cause
be and the same is hereby dis-
missed with costs.

Per Mr. Ch. Jus Taney

149. Wm. H. Jones
vs
Chas. H. Green Jal

The motion of Wm. Woolworth to dismiss this appeal was argued by him in support thereof and by Mr. Cox late of Counsel for the appellant in opposition thereto: Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises doth time to consider.

82. Thos. J. Wales
vs
Wm. D. Caldwell

Upon the motion aforesaid of Wm. Green of Counsel for the appellant and of Wm. Green of Counsel for the appellee, It is now here ordered by this Court upon the motion of Wm. Green that this cause be and the same is hereby continued to the next term

Henry Cornelius
103 vs Eff in er
Fr A. Fenton

The motion this date filed to continue this cause was argued by Mr Fenton of Counsel for the plaintiff in error in support thereof, and by Mr Power of Counsel for the defendants in error in opposition thereto. Whereupon the Court not being now here sufficiently advised of and concerning what order to make in the premises took time to consider.

Mr Jas. Miller having been of Counsel in the Court below, did not sit in this cause.

John S. Sullivan
352 vs Eff
John S. Hays

On the motion of Mr Carlisle of Counsel for the appellee, It is now here ordered by the Court that the motion filed in this cause last Friday the 5th instant to dismiss the appeal be and the same is

hereby set down for argument on next Friday the 19th instant.

72 H. H. Jones vs Lloyd Thompson &c. } On the motion of Mr Illay of Counsel for the appellants, it is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this court.

73. The Bank of the Republic vs Officers of the People of Stanislaus &c. } In error to the Supreme Court of the State of Illinois

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois and it appearing to the Court here that this is the second term at which

this cause has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the costs of the plaintiff in error pursuant to the 19th rule of this Court: Whereupon it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs and that the cause be and the same is hereby remanded to the said Supreme Court in order that the same may be proceeded with according to law and justice

Jno. W. Ch: Jus Taney.

741 Noah C. Christmas vs Plff in Er
John H. Russell &c

This cause having been called for argument and no counsel appearing ready to proceed therewith. It is now here ordered by the Court that this cause be and the same is hereby dismissed with costs to the part of the docket pursuant to

the 26th rule of this Court

75. John Donnestown ad Pltfs vs James Pinzons. Admin ad

This cause having been called for argument and no Counsel appearing ready to proceed therewith it is now here ordered by the Court that this cause be and the same is hereby post poned to the foot of the docket pursuant to the 26th rule of this Court

76. James Brown Pltf vs Eugenia P. Buss.

This cause having been called for argument and no Counsel appearing ready to proceed therewith. It is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court.

1249 Saturday, December 12. 1863. Continued

James Brown
vs
Wm. H. Johnson

This cause having been called for argument and no counsel appearing ready to proceed therewith. It is ordered by the Court that this cause do and the same is hereby postponed to the foot of the docket pursuant to the 96th rule of the Court

Mr. Sheriff you may give notice to the Bar that the Court will commence the call of the docket at 10 O'clock, next Monday

Proclamation being made the Court is adjourned until Monday morning at eleven O'clock.

Monday, December 15th A.D. 1851

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Jesse B. Thomas Chief Justice

James H. Hayne

John Catron

Samuel Nelson

Robert C. Grier Associate

Peleg Clifford Justices

Levi H. Sprague

Samuel F. Miller

David Davis

Hon. A. Dawson Esquire Marshal

William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in the behalf by Mr Sprague it is ordered that Elliott Anthony Esquire of Chicago State of Illinois and J. St. Hutchinson Esquire of Springfield State of Ohio be admitted to practice as Attorneys and Counsellors of this Court and

by men competently sworn accordingly.

Ellis H Russell
vs
Jeffn et al.
Henry L Eby & Hill
& Chapp & Edmund C Brown

In error to the District Court of the United States for the District of Wisconsin

1258

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Miller

Monday December 15th 1862 Continued

111

John Lefflingwell
vs
Geo. F. Warren

In error to the District Court of the United States for the District of Wisconsin

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of Wisconsin with directions to award a venire facias de novo.

Per Mr. Jus Swayne

John Dooley John Shugg
Jesse Hester & Charles
Ballance
vs
Joseph Forsyth

In error to the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo

Mr Justice Clifford

Monday December 12th Continued 1853

12

William Billings
Plaintiff in Error
vs
Robert Jennings
Defendant in Error

In error to the Circuit Court of the United States for the Southern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire

12233. Monday December 15. 1862. Continued

Cause to recd.
by Pl. Jas Clifford

John Reynolds
v. Joseph C. McCann
et al.

13. Appeal from the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de

Monday December 15th 1862 Continued 1851

Nov

Wm Wm Jas Gifford

Charles Congdon, Samuel Congdon
vs the Tennessee Mining Company

19 In Error to the Supreme
J. L. Goodman & Jenny & Gibbes, & the Sup
chancel Comm[rs] of the 3d Court Court
Dist of Polk Co in the of the State
State of Tennessee of Tennessee

This cause came on
to be heard on the transcript of
the record from the Supreme
Court of the State of Tennessee
and was argued by Counsel
On consideration whereof it is
ordered and adjudged
by the Court that this cause
be and the same is hereby
dismissed for the want of
jurisdiction

Wm Wm Jas Jones

George H. Hughes
vs
Jonathan Holmes

In error to the Circuit Court of the United States for the Northern Distrit: =rict- of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed, with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois

By a divided Court

149 W. M. Jones vs Hyl Chas W. Green sal

On consideration of the motion filed in the Def't's mitant to dismiss this case and of the arguments subsequently had thereon as well against as in support thereof, it is now here ordered by the Court that the said motion be and the same is hereby overruled.

108 Henry County vs Jeff'n ex Fr A. Russell

On consideration of the motion filed in the Def'ts mit, to continue this cause and of the arguments of Counsel thereupon had as well against as in support thereof — it is now here ordered by the Court that the said motion be and the same is hereby overruled; and it is further now here ordered by the Court that in case this

cause shall be reached before this day fortnight then it shall be postponed to this day fortnight the 29th instant, and if not reached until afterwards that then it shall be argued when reached in its regular order.

Rufus S. Lee & al
vs
Henry F Blandy & al

The cause was submitted to the consideration of the Court on the record and printed arguments by Messrs Lee and Fisher of Counsel for the plaintiffs in error and Mr. Duncan of Counsel for the defendants in error

77. H. D. Wright & al
vs
Jeffs in error
Messrs Bates

This cause was submitted to the consideration of the Court on the record and printed arguments by Messrs

See and Notice of Counsel for the Plaintiff in error

	The Mississippi & Missouri R.R. Co	On the applic-
86.	vs	ation of Mr
	James Ward	Smith of
		Counsel for the
		respellee and

of Mr Cook of Counsel for the Appellants it is now here ordered by the Court that the time for the argument of this cause be extended to four hours on each side.

	J. L. Williamson	This cause
80	vs	having been
	Rice Durbin	called for
		argument

and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th

rule of this Court.

81. J. K. Dennison Sol vs Jeffs in ea Custom Dell Sol

This cause having been called for argument, and no counsel appearing ready to proceed therewith it is now here ordered by the Court that the cause be, and the same is, hereby postponed to the foot of the docket pursuant to the 26th rule of this Court

84 Pol. L. Harris vs H. D. Upholsten Sol

It is now here ordered by the Court that this cause be and the same is hereby passed for the present without losing its preference.

85. H. H. Dell vs Hobits & Chrs L.h.C

This cause having been called for argument, and

a mandate affirming the decree appealed therewith, it is now hereordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 24th Rule of this Court.

Rufus D. Sr. & Wm. Sewell
vs
Henry T. Blandy & Wm. L. Blandy

70.

Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and on the motion of Wm. Sawtelle of Counsel for the defendants in error. It is now here ordered and adjudged by

Monday December 15th 1862 Continued

this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice

per Wm Ch. Jus. Taney

Proclamation being made the Court is adjourned until to morrow morning at eleven O'clock

Tuesday December 11th 1860. 12 o'clock M.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Roger B Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C Grier Associate Justices
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
& David Davis
Ward H. Lamon, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

86 The Mississippi and Missouri R. R. Co vs Appeals James Ward

The argument of this cause was commenced by Mr. Cook of Counsel for the appellants and continued by Mr. Lincoln

of counsel for the appellee
(Mr. Justice Miller having
been of counsel in the Court-
below did not sit in this
cause.)

Proclamation being made the
Court is adjourned until to-
morrow morning at Eleven O'clock

Wednesday December 17th 1862. 266

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Wm H. Dawson, Esquire, Marshal
William Thomas Carroll Clerk,

Proclamation being made the Court is opened.

On motion ordered made to the Court in this behalf by Hon: B. R. Curtis it is ordered that Sidney H. Smith Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

1326. Wednesday December 17th 1862 Continued

On motion first made to the Court in behalf of Mr. Gillet, it is ordered that Hon. Willard Saulsbury of Delaware, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

16. The Mississippi & Missouri R. R. Company vs. Wm. H. Ward

The argument of this cause was continued by Mr. Lincoln of Counsel for the appellee.

(Mr. Justice Miller having been of counsel in the Court below did not sit in this cause.)

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Thursday December 15th 1859 [illegible]

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson Associate
Robert C. Grier Justices
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis.

Ward H. Lamon Esquire Marshal
William Thomas Carroll. Clerk

Proclamation being made the Court is opened

Elias Goodyear's admr and the Union India Rubber Co vs The Beverly Rubber Co

Appeal from the Circuit Court of the United States for the District of Massachusetts

83.

This cause came on to be

heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

per Mr. Ch. Jus. Taney

The Mississippi & Missouri Rail Road Company
vs
James Ward

56.

The argument of this cause was concluded by Mr. Edwards Johnson of Counsel for the appellants

(Mr. Jus. Miller having been of counsel in the Court below did not sit in this cause.)

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock

Friday, December 19th 1862. 1270

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson Associate
Robert C. Grier Justices
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis.
Wm. H. Lamon Esq.r Marshal
Wilson Thomas Carroll, Clerk.

On motion Priest made to the Court in this behalf by Mr. Ewing, it is now ordered that James M. Lane, of Lawrence, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

131. Sidna Chaloya vs The United States and Sidna Chaloya vs The United States 235.

On the motion of Mr. Hepburn of counsel for the appellant and with the assent of Mr. Hill of Counsel for the appellees in each of these cases - It is now here ordered by the Court that when the former case is reached for argument that then the latter case be argued at the same time and in connection therewith.

108. Henry County vs Iliff & Dresser.

In error to the District Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Iowa, and on the

motion of Mr. Rankin of Counsel for the plaintiff in error, and with the assent of Mr Lowe of Counsel for the defendant in error, it is now here considered, ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs and interest at 6 per cent paid at the same rate per annum that similar judgments bear in the Courts of the State of Iowa

per Mr C. J. Jones

65. Joseph A. Iverson vs Appt John B. Sloss adm. The argument of this cause was commenced by Mr Gillet of Counsel for the appellant, continued by Mr Brown of Counsel for the appellee, and concluded by Mr Gillet for the appellant.

H. H. Jones
vs
Charles H. Green sal
Jerome C. Bronson sal
149.

In consequence of the indisposition of Mr. Carlisle, who is of Counsel in each of these causes, It is now here ordered by the Court that the argument of the several motions therein, be and the same is hereby postponed to the day next the 26th instant.

Jno. J. Cullom
vs
John F. Mayo
252.

In consequence of the indisposition of Mr. Carlisle, who is of Counsel in each of these causes, It is now here ordered by the Court that the argument of the several motions therein, be and the same is hereby postponed to the day next the 26th instant.

La Crosse & Mil. R. R. Co sal
vs
Phelps
195.

In consequence of the indisposition of Mr. Carlisle, who is of Counsel in each of these causes, It is now here ordered by the Court that the argument of the several motions therein, be and the same is hereby postponed to the day next the 26th instant.

Proclamation being made the Court is adjourned until Monday morning at eleven O'clock.

Monday, December 29th 1862 [illegible]

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James Mc. Wayne
John Catron
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis.

Ward H. Lamon, Esquire Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Isaac Smith it is ordered that D. A. Cooley Esquire of Delaware, State of Iowa be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

1275 Monday, December 22nd 1862 Continued

46.	Emanuel Hoggs vs. Pltff in cr. Commonwealth of Penn'a.	On consideration of the written application of Wm. Jonathan Meredith of Counsel for the plaintiff in error and of Wm. H. H. Meredith of counsel for the defendant in error this date filed in this case, it is now here ordered by the Court that the judgment dismissing this writ of error with costs rendered on the 10th inst: be and the same is hereby vacated and annulled, and that this cause be and the same is hereby continued to the next term of this court.
137.	J. Edgar Thompson & Thad H. Smith, Trustees, & al vs Appts The Iowa Central Air Line R. R. Co. & the Cedar Rapids & Missouri River R. R. Co.	Ordered by the Court that this case be continued to the next Term, and

be then argued by Counsel orally at the bar.

87 Sam! Locke vs Mayor City of New Orleans

The cause having been called for argument and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court.

88. Thos J. Dundore vs W. S. Lawson, Curator &c.

The cause having been called for argument and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be, and the same is hereby postponed to the foot of the docket pursuant to the 26th

rule of this Court.

91 Robt A. McTyer vs. Jyer et al
Thos A. McDowell adm[r] &c.

This cause having been called for argument and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court.

89 Thos J. Davidson vs. Jeffries et al.
H. L. Turner &c.

This cause having been called for argument and no counsel appearing ready to proceed therewith it is now here ordered by the Court that this cause, be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court.

91 A. Daniel, Indem. &c. } This cause
vs } Writ of Error having been
E. D. Shepherd. } called for
argument

and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be, and the same is hereby postponed to the foot of the docket pursuant to the 24th rule of this Court.

105. Henry County } It is now
vs } Writ of Error here ordered
J. J. Gosch } by this Court
that the
Mandate in this cause be ad-
dressed to the Circuit Court
of the United States for
the District of Iowa.

92 City of Chicago } The argument
vs } Writ of Error of this cause
Wm Robbins } was commenced
by Mr. E.

Anthony of Counsel for the Plaintiff in error and continued by Mr. Fuller of Counsel for the defendant in error.

Mr. Ch. Jus. Taney announced to the Bar that the Court will adjourn on next Wednesday to the following Monday, and that on the latter day it will hear motions.

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Peter V. Daniel
Robert C. Grier Associate
William Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon Esquire U.S. Marshal
William Thomas Carroll Esq. Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. H. D. Clark, It is ordered that David S. Terry Esquire of Davenport, State of Iowa be admitted to practice as an Attorney and Counsellor of this Court, and he was thereupon accordingly

Issac H. Simpson. Appeal from
vs. Omit of the the Circuit
Ship Potomac &c Court of the
Michle &c. United States
vs. for the Southern
Frederick Baker, District of
Executor of Elisha Baker, New York.
deceased —

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar decrees bear in the Courts of the State of New York.

per Mr. Jus. Grier

Tuesday December 23d 1856 Colored Cases

92. City of Chicago vs Jeffries et al
Wm Scribner

No argument of this cause can now be had by Wm C Gilbert Attorney of Counsel for the Plaintiff in error

93 H. H. Starkey's Exrs vs Jeffs in Er
D. D. Duncan

This cause having been called for argument and no Counsel appearing ready to proceed therewith it is now here ordered by the Court that this cause be and the same is hereby passed and to the foot of the docket pursuant to the 24th rule of this Court

94 Thomas J. Dwyer vs Jeffries et al
H. H. Dunlap

This cause having been called for argument and no

counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of this court.

95 Wm L. Sims vs Jeff'n et Rich'd Lancaster

This cause was argued by Wm Cutler and by Wm Black of Counsel for the plaintiff in error, and submitted on a printed argument by Messrs Ketchum and O'Connor of Counsel for the defendant in error.

96 Louis Desobry vs Jeff'n et John Nicholson

This cause having been called for argument and no counsel appearing

ready to proceed therewith it is now here ordered by the Court that this cause be and the same is hereby postponed to the first day of the Court pursuant to the 36th rule of this Court.

Francis J. Herron
vs
Daniel Sammons

In error to the District Court of the United States for the District of Iowa

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Iowa and the plaintiff in error having been three times solemnly called by the mar

shall & come into Court and prosecute this writ of error and failing to appear, it is thereupon on the motion of Mr. Crosby of counsel for the defendant in error now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with cost.

J. M. C. Jr. Jan Janey

98 The Yalobusha Steamboat Co vs S.S.S. Johns Saunders admr of John Van Pelt, decd

The argument of this cause was commenced by Mr. Sutakin of Counsel for the appellant

Tuesday December 23rd 1862. Continued

95 The Cadmus
Steamboat &c
vs Appts
Chas. Goudder adm.
& John Van Pelt, dec.

On the
motion
of Mr.
Shirley
Ordered
for the
appellee it is ordered by the
Court that he may have
two additional hours for the
argument of this cause.

Proclamation being made
the Court is adjourned until
to morrow morning at eleven
O'clock

Wednesday December 24. 1862

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon. Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Hon. H. Lamon Esqr. Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

The Calais Steamboat Co. vs Appts
Charles Saunders adm'r &c

The argument of this cause was continued by Mr. Cushing of counsel for the appellants and by Mr. Shepley of counsel for the appellee

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock

Monday December 29th 1862

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Associate Justices

Wm. H. Lamon Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion ordered made to the Court in this behalf by Mr Attorney General Bates it is ordered that Horatio C. Newcomb Esquire of Indianapolis State of Indiana, be admitted to practice as an

Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Harding, it is ordered that Edmund J. Gross, Esquire of Huron, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr Jacob Sutton, it is ordered that W. D. Wallace Esquire of Steubenville Washington Territory and John J. Cook Esquire of Connecticut State of Tennessee be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly

Monday December 9th

Wm H. Jones
vs
Charles H. Grant et al

On the motion of Mr Haywood of Counsel for the appellees and with the consent of Mr Carlisle of Counsel for the appellant, it is now ordered by the Court that the motion for a Mandamus filed in this case on the 17th instant be and the same is hereby continued to next Sunday the 21st January.

The Bank of Steubenville
vs
Chas Sandford adm. &c. of
John Linn Deceased

On the argument of this cause was continued by Mr Shipley of Counsel for the appellee and concluded by

Mr. B. R. Curtis of Counsel for the appellant

252 John F. Callan
vs
John F. Hay

Mr. argument of the motion to dismiss

This cause was commenced by Mr. Hay in support of said motion

153 John Hooker sol
vs
John Hooker

Mr. B. R. Curtis of Counsel for the

defendant in error having filed and read in open Court a suggestion of a diminution of the record in this case in the words and figures following, to wit.

"Stipulation of the parties to enter the sub or order of the Circuit Court made in pursuance

of such stipulation, and the
Report of the Referee
By reason of
which omissions and errors
aforesaid the said complt
now here moved the Court
to award a writ of certiorari
to be directed to the Judges
of the Circuit Court of the
United States for the South
ern District of New York,
commanding them that search-
ing the records and pro-
ceedings of said Court in
this cause they shall certify
to this Court under the seal
of the said Circuit Court
whatever omissions and errors
shall be found. On considera-
tion whereof it is now here
ordered and decreed by this
Court that a writ of certiorari
be and the same is hereby
awarded to be issued forth-
with and be directed to the

Judges of the said Circuit Court commanding them that searching the records and proceedings aforesaid, they forthwith certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found in the same and return the said writ of certiorari forthwith to this Court

Jn. H. Wells Clerk

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock

YO

LUME

V

Tuesday, December 30th 1862.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Associate Justices

Ward H. Lamon, Esquire Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Mr. Ch. Jus. Taney announced to the Bar that the Court will adjourn over from to-morrow until next Monday the 5th instant.

244 The United States vs Wm Jennison Jones and José A. Castro

Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and on the motion of Wm Hayes Attorney General of the United States and of Counsel for the appellants, It is now here considered ordered and decreed by this Court that this cause be and the same is hereby dismissed

per Wm Ch Fred Lancy

John F. Callan

152 " Appt

John J. May

The argument of the motion to dismiss this cause was continued by Mr. R. J. Coyle against the motion and concluded by Mr. Carlisle in support thereof

J. A. Meigs et al

47 " Appts

Pacific Steamship Co

J. A. Meigs et al

48 " Appts

Pacific Steamship Co

On the motion of Mr. Mallon it is now here ordered by the Court that his motion to reinstate this cause filed on the 29th instant be and the same is hereby set down for argument on the next motion day.

Elvin B. Ward et al
77 vs Complts
Philo Chamberlain et al

This cause was argued by Mr. Spalding of Counsel for the defendants and submitted on a printed argument by Mr. Sweberry in behalf of the complainant

Moses C. Mordecai et al
100 vs Appts
Wm A. Lindsay

This cause having been called for argument and no counsel appearing ready to proceed therewith it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of the Court

Charles Moran et al
101 vs Jeffn in er
Board of Commissioners of Miami County

On the motion of Mr. Ross of Counsel for the defendant in error to postpone

Tuesday December 30th 1862. Continued

this cause in consequence of indispo-
-sition in the family of Mr.
Porter of Counsel for the plain-
-tiffs in error it is now here
ordered by the Court that this
cause be and the same is hereby
passed for the present.

Proclamation being made the Court
is adjourned until tomorrow morning at
eleven O' clock.

Wednesday December 31st 1862

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson Associate
Robert C. Grier Justices
Nathan Clifford
Noah H. Swayne
Samuel F. Miller and
David Davis

Ward H. Lamon, Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

107 Andrew Lynch vs Jeffries & Eliza C. Deeny

The cause having been called for argument and no counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and

the same is hereby postponed to the foot of the docket pursuant to the 36th rule of this Court.

	G. G & H. A. Taylor	Pltffs in Er	The argument of these causes was commenced by Mr. Butler of Counsel for the Plaintiffs in error, continued by Mr. Talbot and Mr. Cushing of Counsel for the defendants in error and concluded by Mr. Butler for the Plaintiffs in error.
14	vs		
	Thomas Morrison &c.		
	Edward Curtis Admr	Pltff in Er	
104	vs		
	Ernest Fuller		

Proclamation being made the Court is adjourned until Monday morning at Eleven O'clock

Monday, January D. 1863

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
James M. Wayne
John Catron
Samuel Nelson Associate
Robert C. Grier Justices
Nathan Clifford
Noah H. Swayne
Samuel F. Miller and
David Davis

Ward H. Lamon, Esquire, Marshal
William Thomas Carroll. Clerk.

Proclamation being made the Court is opened

John Randall Jr and Letetia H. Randall, his wife Appellants
vs. Appeal from the Circuit
Jacob C. Howard Court of the United States for the District of Maryland

50

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. per Mr Justice Davis

Augustine J. Sudsey, Adam Noel Susan Noel, James Sudsey Horace Bradley, Eleanor M. Bradley, John B. Matthews Margaret D. Matthews and Joseph J. Sudsey. Appts

vs

David Hawes, Jacob Morris, George M. Babcock, & David Barnes.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree in conformity to the opinion of this court

per Mr. Justice Miller.

141 Nebraska City vs. John C. Campbell

In error to the Supreme Court of the Territory of Nebraska

This cause came on to be heard on the transcript of the record from the Supreme Court of

the Territory of Nebraska and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of said Territory

per M.r Jas Nelson

Matthias B Wright and John Conner vs Silas M. Coe } In error to the Circuit Court of the United States for the Southern District of Ohio

79 Moses Bates

This cause came on to be heard on the transcript of the record from

the Circuit Court of the United States for the Southern District of Ohio and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo

per M.r Jus Wayne

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock.

Tuesday January 6th 1835

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson Associate
Robert C. Grier Justices
Nathan Clifford
Levi Woodbury
Samuel F. Miller
and Mahlon Dana

Ward H. Lamon Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

Mr. Justice Wayne announced to the Bar that no arguments would be heard to day as the Judges would be in conference upon the cases before them.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'clock

day, January 7th. 1863.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson Associate
Robert C. Grier Justices
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
and David Davis

Wm. H. Dawson, Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion ordered made to the Court in this case by Mr. R. H. Gillet, it is ordered that A. Finch, Esquire of Milwaukee, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

101. Charles Moran Stal
vs
The Board of Commrs
of County of Miami

The argument of this cause was continued by Mr. Porter of Counsel for the plaintiff and continued by Mr. Ross of Counsel for the defendant.

145 George W. Cross
vs
Maria Louisa Indra
del Valle etal

Judge Counter of Counsel for the appellant having suggested the death of his client George W. Cross the appellant moved the Court for leave to file the appearance of the proper representatives and to have them made parties to this appeal. On consideration whereof it is now here ordered by the Court that leave be and the same is hereby granted to the proper representatives of the appellant George W. Cross, deceased, to file their appearance here and to be entered as parties and appellants with leave

to prosecute this appeal

Moses Strickland et al vs Pltffs in Er Peter Ames et al

M. Finch of Counsel for the defendant

in error moved the Court, for leave to the Clerk to issue a writ of procedendo or mandate in this cause. On consideration whereof it is now here ordered by the Court that the Clerk may issue a mandate in this cause during the present term of the Court

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday January 5 1863.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
and David Davis

Ward H. Lamon Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

Charles Moran et al
vs
The Board of Comrs of County of Alleghany

The argument of this cause was concluded by Mr. Porter of Counsel for the Plaintiff in error.

101

105 Andrew Bethell Jnr
vs Appeals
Sarah Davis et al

The argument of this cause was commenced by W. Bradley of Counsel for the Plaintiff in error, and continued by Mr. Swann of counsel for the appellee, and concluded by Mr. Bradley for the appellants

Anthrop H. Gibson
vs Appeals
The City of Sheboygan et al

The argument of this cause was commenced by Mr. Doolittle of counsel for the appellants and concluded by Mr. Howe of Counsel for the appellee

107 Agnes K. Hazard et al
vs Appeals in Er
Elizabeth Lenidens

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Carlisle of Counsel for the appellants and by Messrs. Stone & Bradley of Counsel for the Appellee

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock

Friday January 1st 1863.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Smyth
John Cabron
Samuel Nelson
Robert C. Weir
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
and David Davis
Associate Justices

Thad M. Lamon Esquire Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion prist made by the Court on the behalf by John Sherman Esquire it is ordered that Henry B Curtis Esquire V. C. Nurd Esquire and Joseph C. Devin Esquire, all of Mount Vernon, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

47 S. A. Meigs et al vs Appts
The Steamboat Hortense

and

48 S. A. Meigs et al vs Appts
The Pacific Steamship Co

On the motion of Mr. Walker of Counsel for the appellants it is now here ordered by the Court that the decree dismissing these appeals with costs, rendered on a prior day of the present term, be and the same are hereby rescinded and annulled, and that these causes be and the same are hereby re-instated on the docket and that they be continued to the next term of this Court

per Mr. Jus Wayne

49 The United States vs Appts
Francisco Sici et al

On the motion of Mr. Hughes of Counsel for the appellees it is now here ordered by the Court that the clerk may issue the proce=

dendo or mandato in this cause

Daniel S. Appleton et al
vs
Hudson J. Bacon et al
and
Hudson J. Bacon et al
vs
Daniel S. Appleton et al

The
argument
of this
cause was
commenced
by Mr.
McCalla
of Counsel
for the Complainants and continued
by Mr. Webb of Counsel for
the Respondents.

Proclamation being made the Court
is adjourned until Monday morning at
seven O'clock

Monday January 12th 1863.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M Wayne
John Catron
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
and David Davis
Associate Justices

Ward H Lamon Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

65. Josiah A Norman
vs
Alfred F. R. Bradley
admr of John B. Lee, decd

Appeal from the District Court of the United States for the District of Wisconsin

This cause came on

to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin, and was argued by Counsel. On consideration whereof, it is the opinion of this Court that there is error in the decree of the said District Court in ordering that the defendant Josiah F. Inman should pay to the complainant the balance of principal and interest of the mortgage debt which should remain unsatisfied after applying to said debt the proceeds of the sale of the mortgaged premises, and that complainant should have execution against said defendant for the amount of such balance. It is therefore now here ordered, adjudged and decreed by this Court that so much of said decree be and the same is hereby reversed and annulled. And

d is further ordered, adjudged and decreed by the Court that the said decree in all other respects be and the same is hereby affirmed with costs, and that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of Wisconsin in order that further proceedings may be had therein in conformity to the opinion of this Court.

per Mr Jas. Dwayne

114 Charles T. Taylor and Henry T. Taylor vs Elijah Ellis & Warren Morton, late Collector &c

In error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from

the Circuit Court of the United States for the District of Massachusetts and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per M. Jus Clifford

Mary Curtis, administratrix of Edward Curtis deceased
vs
Ormsby Tiffin et al

In error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued

by Counsel On consideration whereof it is now here ordered and adjudged in this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo

A Copy Test Jas Clifford

109. David S. Appleton and others vs Reuben T. Bacon and Reuben T. Bacon and others vs David S. Appleton and others

The argument of this cause was continued by W. Webb and Mr. Carlisle of Counsel for the Respondents and by Mr. Bradley of Counsel for the Complainants Declaration being made the Court is adjourned

Tuesday, January 13th 1863.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon, Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is open

On motion first made to the Court in this behalf by Mr Gillet it is ordered that Isaac Hartman Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court and he was accordingly

103. George Coulter Jun. vs David B. Norman — Pltff in Er

On the motion of Mr. Carlisle of Counsel for the Plaintiff in error, it is now here ordered by the Court that leave be and the same is hereby granted the Clerk to issue a mandate in this case during the term of the Court

305 John D. Harvey and John H. Brown vs Richard P. Gardner — Pltff in Er

In error to the Circuit Court of the United States for the Southern district of New York

Mr. Coy of Counsel for the defendant in error having filed and read in open Court the following Certificate, to wit:-

United States Circuit Court
Southern District of
New York
Richard P. Gardiner
vs
John B. Murray
and
John H. Brown

I Hamilton

I. White clerk of the Circuit Court of the United States for the Southern District of New York do hereby certify, That the above entitled action was duly heard and tried before the Honorable Samuel Nelson a Judge of this Court on the 13th day of November A. D. 1860 and a verdict given for the Plaintiff. That on the 25th day of October. 1862 judgment thereupon was duly entered for the sum of Thirty four hundred dollars and sixteen cents in favor of the said Plaintiff That on the 5th day of November 1862 an

application for a writ of error was made in behalf of the defendants and that on the said 8th day of November 1862 the said writ of error was duly allowed.

In Witness whereof I have hereto subscribed my name and affixed the seal of the said Court at the City of New York this ninth day of January A.D. 1863

Seal

Kenneth G. White
Clerk"

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error now here moved the Court in pursuance of the 7th rule of this court to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this

Court that this writ of error to the Circuit Court of the United States for the district of Indiana be and the same is hereby docketed and dismissed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

Per M. Jus Wayne.

The City of Jeffersonville
v
James Freeland
John M. Stuart
and Robert Squires

306

In error to the Circuit Court of the United States for the District of Indiana.

Mr. Taft of counsel for

the defendants in error having filed a writ of error together with a transcript of the record of this cause duly certified by the Clerk under the seal of the Circuit Court of the United States for the District of Indiana and having stated that the plaintiff in error had altogether failed to file the record of said case in this Court, or in any way to prosecute said writ of error, have moved the Court in pursuance of the 9th rule of this Court to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error to the Circuit Court of the United States for the District of Indiana be and the same is hereby docketed and dismissed with costs and that this cause be, and the same is hereby re-

remanded to the said Council Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding

30 | Samuel R. Curtis dft
vs
William D. Brown

Appeal from the Supreme Court of the Territory of Nebraska

Mr. Carlisle of Counsel for the Appellee having filed and read in open Court the following certificate to wit.

"In the Supreme Court of the Territory of Nebraska

William D. Brown
vs
Samuel R. Curtis. Henry T. Curtis. Samuel B. Curtis and The Council Bluffs & Nebraska Ferry Company. Appellees

I, John M. Kellom, Clerk of the Supreme Court of the Territory of Nebraska do hereby certify that at the special term of November 1861 of said Court the above entitled cause was tried and submitted to the justices thereof for their decision and decree and on the 2 day of November in said year a final decree was by said justices rendered and entered in said Court in favor of the appellant Isaac William Brown against the above named appellees and thereupon in open Court and by their Counsel the said defendants and appellees Samuel A. Curtis, Henry J. Curtis and Samuel S. Curtis prayed an appeal to the Supreme Court of the United States which was taken and allowed.

And I do further certify that the parties above named are all the parties to the record in the said cause.

In testimony whereof I have hereunto set my hand and the seal of the said Court this sixth day of January one thousand eight hundred and sixty three.

J. M. Kellom
Clerk of Sup. Court

and having stated that the appellants had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that this appeal from the Supreme Court of the Territory of Nebraska be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said

Supreme Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding

per M. J. Wayne

Daniel S. Appleton ads
vs Appts
Stephen T. Bacon ads
and
Stephen T. Bacon ads
vs Appts
Daniel S. Appleton ads

The argument of this cause was concluded by Mr Bradley of Counsel for the Respondents.

The Estate of Joseph C. Perrault
vs Plff in Err
Elizabeth Ferris ads

Submitted by Mr Leigh of Counsel for the Plaintiff in error.

The argument of this cause was commenced.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
and David Davis

Ward H. Lamon Esquire Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Ewing it is ordered that Benjamin F. Smith Esquire of Charlestown State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Gillet it is ordered that John Dowd jr. Esquire of Dubuque State of Iowa be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Pugh, it is ordered that Warren D. Noble Esquire of Jefferson State of Ohio is admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

252 John F. Catlin vs John F. Hay

Appeal from the Circuit Court of the United States for the District of Columbia

This cause came on

to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

Jno. M. Ch. Jo. Jones

The Trustees of the Wabash and Erie Canal. Appts

vs

Joseph D. Beers

112

On the motion of Mr. Asher of Counsel for the appellants, and with the assent of Mr. Gillet of Counsel for the appellees It is now here ordered

by the Court that this case be and the same is hereby set down for argument to morrow

The Lessee of
Joseph C. Jarrish
1114 vs Wm Ewing & Elizabeth Jarrish dsb The argument of the case was continued by Mr James and Mr Taft of Counsel for the defendant in error

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock

Thursday January 15th 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
and David Davis

Ward H. Lamon Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Carlisle, it is ordered that Everett P. Wheeler Esquire of White Plains, State of New York, be admitted to practice as an Attorney and Counsellor

of this Court and he was sworn accordingly

On motion just made to the Court in this behalf by Mr. A. Ward, it is ordered that Robert Cochrane Esquire of New York City, State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

1111 The Lessee of Joseph C. Yarish vs Jeff in et Elizabeth Ferris et al

The argument of this cause was concluded by Mr. Worthington of Counsel for the plaintiff in error.

112 The Trustees of the Wabash and Erie Canal vs Joseph D. Betts et al

The argument of this cause was commenced by Mr. Howe of Counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'clock

Friday January 16th 1863.

Pursuant to adjournment the Court met this morning at the Capitol

Present:

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
and David Davis
Associate Justices

Ward H. Lamon Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Carlisle, it is ordered that Rocellus S. Guernsey Esquire, of New York City, State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was

sworn accordingly.

19 Greene C. Bronson vs. Appts
The San Croise and Nebraska R.R. Co. et al

On the motion of Mr. Ewing of Counsel for the appellants and with the assent of Mr. Black. It is now here ordered by the Court that Mr. Blacks application for leave to intervene be and the same is hereby set down for argument on next friday the 23d instant

23 Andres Castellero vs. Appt
The United States
and
The United States vs. Appt
133 Andreas Castellero

On the application of Mr. Peachy, Mr. O'Connor & Mr. Johnson of Counsel for the claimant and of Mr. Black and Mr.

Counsel of Counsel for the United States, it is now here ordered by the Court that three days be allowed to each side on the argument of the cast, and that five of the Counsel of the claimant be first heard on the opening of the cast

112 The Trustees of the Wabash and Erie Canal vs Appts Joseph D. Bates

The argument of this cause was concluded by Mr Gillet of Counsel for the appellee

113. Milton S. Sutins et al vs Appts Thomas A. Reid et al

This cause having been called for argument and no counsel appearing ready to proceed therewith it is now here ordered by the Court that this cause

be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court

1109 William M. Jones vs Appt
Charles H. Green et al

On motion of Mr. Holdsworth for a writ of Certiorari filed in this cause on the 17th ultimo was argued by Mr. Bidgwick in support thereof and by Mr. Carlisle in opposition thereto. Whereupon this Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider

309 The United States vs Appts
Juan N. Sere substituted for Ignacio Pastor

Appeal from the District Court of the United States for the Southern District of California

Mr Hardman of Counsel for the appellee having filed and read in open Court the following certificate to wit: "

In the United States
District Court Southern
District of California

Juan M. Luco substituted for Ignacio Tucker Appellee
vs
The United States. Appellant

No 44. D.C.
Ap. 30. J. 6
" Missilas "

I, Geo. O Wheler, Clerk of the United States District Court for the Southern District California hereby certify, that the decree of said Court confirming the claim of the appellee was duly entered on the 31st day of August 1860 That an appeal on behalf of the United States from said decree to the Supreme Court of the United States was duly sued out and allowed on the 1st day of May 1862

In witness whereof I have hereunto set my hand and affixed the seal of said Court this 13th day of November A.D. 1862

John C. Wheeler.
Clk U.S. Dist Ct.
S. Dist Clk"

and having stated that the appellant had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal. Now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that this appeal from the District Court of the United States for the Southern District of California be and the same is hereby docketed and dismissed, and that this cause be and

the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding

per W.C.Ch Jus. Taney

310 The United States
vs
The Mayor and Common Council of Santa Barbara

Appeal from the District Court of the United States for the Southern District of California

Mr Hartman of Counsel for the appellees having filed and read in open Court the following certificate, to wit:

"In the United States District Court Southern District

Friday January 16th 1863 Continued

of California

Mayor and Common Council of Santa Barbara Appellants
vs
The United States, Appellee

No. 342 D.6
No. 342 L.6
"Municipal Lands"

I, John Walker, Clerk of the United States District Court for the Southern District of California do hereby certify that the Decree of said District Court confirming the claim of the appellants was duly entered on the 5th day of March A.D. 1861, That an appeal on behalf of the United States from said Decree to the Supreme Court of the United States was duly sued out and allowed on the 15th day of May A.D. 1862.

In witness whereof I have hereunto set my hand and affixed the seal of said Court

this the 13th day of November
A.D. 1862.

John C. Hunter
Clerk U.S. Dist Ct.
Dist Cala"

and having stated that the appellant had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal. Now here moved the Court in pursuance of the 9th rule of this Court to have the appeal docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that the appeal from the District Court of the United States for the Southern District of California be and the same is hereby docketed and dismissed and that the cause be and the same is hereby remanded

to the said District Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding

for Mr. Ch. Js Taney.

311. The United States vs Ygnacio Sanchez and Juan Jose Castro Exrs of Joaquin Castro deceased

Appeal from the District Court of the United States for the Southern District of California

Mr. Hartman of Counsel for the Appellees having filed and read in open Court the following certificate, to wit:

"In the United States District Court, Southern District of California

"In the United State District Court Southern District of California

Guadeloupe Castro and
Juan Jose Castro, Executors
of Joaquin Castro deceased
vs
The United States Appellees

No 100 L
No 5th S.C.
" San Andres"

I, John O'Hueber, Clerk
of the United States District Court
Southern District California, do
hereby certify that the decree of
said District Court rejecting the
Survey in this case was duly
entered on the 25th day of
June A.D. 1862. That an appeal
on behalf of the United States
from said decree to the Supreme
Court of the United States
was duly sued out and
allowed on the 25th day of
June A.D. 1862

In witness whereof
I have hereunto set my hand
and affixed the seal of said

Court this the 13th day of December
A.D. 1862

John O. Wheeler
Clerk. U. S. Dist & S. Dist
Calif.

and having stated that the appellant had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal. Now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that this appeal from the District Court of the United States for the Southern District of California be and the same is hereby docketed and dismissed and that this cause be and the same is hereby remanded to the said

District Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding

for Mr Chas Fancy

Jacob Keebler et al
vs
The Black River Falls Iron Co. et al

115. The argument of this cause was commenced by Mr Carlisle of Counsel for the appellants and continued by Mr Doolittle of Counsel for the appellees and concluded by Mr Carlisle for the appellants

Proclamation being made the Court is adjourned until Monday morning at Eleven Oclock

Monday January 19th 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson Associate
Robert C. Grier Justices
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
and David Davis

Ward H. Lamon Esquire, Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

On motion duly made to the Court in this behalf by W. Curtis it is ordered that Samuel H. Elbert, Esquire of Denver, Territory of Colorado and George W. Lawrence Esquire of New York City State of New York, be admitted to practice as attorneys

and counsellors of this Court and they were severally sworn accordingly.

92. The City of Chicago vs Elijah W. Ela and Allen Robbins

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel, On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded

to the said Circuit Court with directions to award a venire facias de novo

per Mr. Jus Davis

Mr. Jus Nelson and
Mr. Jus Miller } dissentients

Andrew Rothwell
John F. Smith,
Henry Naylor and
Robt S. Forde
vs Appts
George H. Dewes,
Mary Smith,
Archer B. Smith and
Ann Rothwell

Appeal from the Circuit Court of the United States for the District of Columbia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and

was argued by Counsel On con-
-sideration whereof, it is now
here ordered, adjudged and decree
by this Court that the decree
of the said District Court
in this cause be and the
same is hereby reversed with
costs, and that this cause be
and the same is hereby re-
-manded to the Circuit Court
of the United States for
the District of Wisconsin,
for further proceedings to be
had therein in conformity
to the opinion of this court
Jno Mc Jus Swayne

95. Maria B. Kunz
Adm'x &c
vs
Richard Hoffman

In error
to the
Circuit
Court of the
United States
for the Southern
District of New York

January 19th 1863 Continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per. Mr. Jus Grier.

Samuel Shilton. Trustee of Agnes R. Hazard a married woman, and O.C.P. Hazard and Agnes R. his wife

vs

Margaret Lyons, administratrix of Elizabeth Braden, deceased

Appeal from the Circuit Court of the United States for the District of Columbia

This cause came on to be

heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar decrees bear in the courts of the District of Columbia.

per Mr. Jus Grier

The Calais Steamboat Company Appts
vs
Charles Scudder admr. of John Van Pelt, decd.

Appeal from the Circuit Court of the United States for the District of Maine.

This ...

cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court

Dissenting pr. Mr Jus: Nelson
Mr Jus: Clifford
Mr Jus: Miller

149 William M. Jones vs Appl Charles W. Greenleaf

Mr Woolworth of counsel for the appellees having on a prior day of the present term, to wit: on the 17th ultimo filed a Suggestion of a diminution of the record of this case in this, to wit: the omission of the record of the two several judgments

referred to in the Bill of Complaint & introduced and read in evidence by the Complainant on the trial of the case" in the Court below and having on the prior date filed a motion for a writ of certiorari to supply said omissions, and the said motion having been argued as well against as in suppot thereof, it is on consideration thereof now here ordered and decreed by this Court that a writ of certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the judges of the Supreme Court for the Territory of Nebras=ka commanding them that searching the records and proceedings of the said Supreme Court they forthwith certify to this Court under the seal of the said Supreme Court Whatever omissions & errors shall be found in this cause and return the same with the said writ of certiorari forthwith to this Court. And it is further ordered by this Court that instead of said cer=tiorari the Counsel of the respective parties may amend the record filed in this Court by adding thereto a copy of

Monday January 19th 1863 Continued

the record of the two several judgments &c
pr Mr Ch: Jus: Taney

116 John A. Parker vs The Winnipisiogee Lake Cotton & Woollen Manufacturing Co:

The argument of this cause was commenced by Mr Curtis of counsel for the appellant

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock

Tuesday January 20th 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
James M. Wayne
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon Esquire, Marshal
William Thomas Carroll. Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Alfred Ely, it is ordered that R. P. Wisner Esquire of Mount Morris, State of New York, be admitted to practice as an Attorney and Counsellor of this Court and he was Sworn accordingly.

On motion first made to the Court in this behalf by Mr Attorney General Bates,

it is ordered that John G. Nicolay Esquire of Springfield. State of Illinois. be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

John A. Parker
116 Vs Appellant
The Winnipissiogee Lake Cotton & Woolen Manufacturing Company

The argument of this cause was continued by Mr Hackett of counsel for the appellees and concluded by Mr Curtis of counsel for the appellant

Alfred Ingraham Survivor &c
117 Vs Plff in Error
Thomas J. McIntyre's heirs et al

This cause having been called for argument and no counsel appearing ready to proceed therewith it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 20th rule of this Court

The Ship Cowper
118 vs Pltff in Er
Charles H. Harrison

This cause having been called for argument & no counsel appearing ready to proceed therewith it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 20th rule of this Court

Francis M. Wright
Auditor, et al. appts
vs
119
Wm F. A. Sill

This cause was Submitted to the consideration of the Court on the record and arguments by Mr Murray of Counsel for the appellants and by Mr Backus of Counsel for the appellee -

Lowell J. Hardy & wife
vs Pltffs in Er
120
Thomas P. Johnson

The several motions for position of Mr Hepburn of Counsel for the Defendant in error having been suggested by Mr Britton A. Hill to the Court, with the assent of Mr Train of Counsel for the Plaintiff in Error, that this cause be and the same is

hereby passed for the present and without prejudice.

John Doe Houghton et al Plffs in Er
vs
122 Lucy R. Jones

The severe indisposition of Mr Hepburn of Counsel for the Defendant in error having been suggested by Mr Britton A. Hill to the Court. It is therefore now here ordered by the Court, with the assent of Mr Carlisle of Counsel for the Plaintiffs in Error, that this cause be and the same is hereby passed for the present & without prejudice

William Patterson Plffs in Er
vs
121 N. Corwith & Co

In Error to the District Court of the United States for the District of Iowa

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Iowa & the plaintiff in error having been three times solemnly called by the Marshal to

come into Court and prosecute this writ of error, and failing to appear. it is thereupon on the motion of Mr Wills & counsel for the defendants in Error, now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs

for Mr Ch. Jus: Fancy

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock

Wednesday. January 21st 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney	Chief Justice
James M. Wayne	
John Catron	
Samuel Nelson	
Robert C. Grier	Associate
Nathan Clifford	Justices
Noah H. Swayne	
Samuel F. Miller	
David Davis	

Ward H. Lamon Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

Andres Castellero
123 vs appt
The United States

&

The United States
133 vs appts
Andres Castellero

The argument of these causes was commenced by Mr Peachy of counsel for the Claimants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Thursday January 22d 1803

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice.
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the Court is opened

Andres Castelleso
123 vs Appt
The United States
&
The United States
133 vs Appls
Andres Castelleso

The argument of these causes was continued by Mr Peachy of Counsel for the Claimants

Proclamation being made the Court
is adjourned until tomorrow morning
at Eleven o'clock

Friday, January 23d 1863

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney — Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Charles O'Conor, it is ordered that William Henry Anthon Esquire, of New York City, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf

by Mr Curtis, it is ordered that Hezekiah Sturgis Esquire of Cooperstown, State of New York, be admitted to practice as an Attorney and Counsellor of this Court and he was Sworn accordingly-

On motion first made to the Court in this behalf by Mr Carlisle, it is ordered that Francis Randall Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was Sworn accordingly

188 Charles F. Pike vs Appl Asa K. Potter — Appeal from the Circuit Court of United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island, and on a Stipulation by the Counsel of the respective parties, in the words & figures following to wit;

"The above named parties having settled the matters in controversy in this cause, it is hereby agreed and stipulated that the appeal in this cause may on motion of the appellants counsel be dismissed without prejudice to the rights of the com=plainant below, each party paying his own costs in this Court; and that the costs recovered by the said Potter in the Court below in this cause by the decree dismissing the Complainants Bill be and the same hereby are released, and the said Pike is hereby discharged of the payment of the same as if no such decree had been obtained, and the said Pike doth hereby release and discharge the said Potter from all claim for damages arising from the manufacture, sale or use of the Structures called Winships Refrigerators complained of in the original Bill of Complaint in this cause."-

Whereupon on the motion of Mr B.R. Curtis of Counsel for the appellant, it is now here considered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed

pursuant to the terms of the aforesaid Stipulation.

pr Mr Ch: Jus: Taney

198 Greene C. Bronsonval vs Appts The La Crosse & Milwaukee R.R. Co: et al.

The argument on the motion of Mr Black to intervene was commenced by Mr Gillet in support thereof, continued by Mr Carlisle and Mr Ewing in opposition thereto and concluded by Mr Black in support of said motion.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday January 26th 1863.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney. Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the court is opened.

Andres Castellero
123 vs Appt
The United States
&
The United States
133 vs Appts
Andres Castellero

The argument of these causes was continued by Mr Remedy Johnson of counsel for the claimants, and by Mr Black for the United States

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday. January 27th 1863

Pursuant to adjournment the Court met this morning at the Capitol -

Present

The Honorable Roger B. Taney - Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon Esquire. Marshal
William Thomas Carroll. Clerk

Proclamation being made the court is opened.

Andres Castelleco
123 vs Appts
The United States
&
The United States
vs Appts
Andres Castelleco

The argument of these causes was continued by Mr Black of Counsel for the United States -

Proclamation being made the Court
is adjourned until tomorrow morning
at Eleven oclock.

nesday. January 28th 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney — Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon, Esquire. Marshal
William Thomas. Carroll, Clerk

Proclamation being made the Court is opened

Andres Castellero
vs Appt
The United States
&
The United States
vs appts
Andres Castellero

The argument of these causes was continued by Mr Black of counsel for the United States.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock

sday January 29th 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney — Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon Esquire, Marshal
William Thomas Carroll, Clerk

(Proclamation being made the Court is opened.)

On motion first made to the Court in this behalf by Mr O. H. Browning, it is ordered that George F. Harding Esquire, of Chicago, State of Illinois be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Andres Castellero
123 vs Appt
The United States
vs
The United States
133 vs Appts
Andres Castellero

The argument of the causes was continued by Mr Curtis of Counsel for the United States and by Mr O'Conor of Counsel for the Claimants.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Friday January 30th 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon Esquire. Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Charles O'Conor, it is ordered that John Nugent Esquire of San Francisco State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Andres Castellero
133 vs Appt
The United States
&
The United States
vs Appts
133 Andres Castellero

The argument of these causes was concluded by Mr O'Connor of counsel for the Claimants

The Mississippi & Missouri Rail Road Company
86 vs appts
James Ward

Appeal from the District Court of the United States for the District of Iowa

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Iowa and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed and annulled and that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of Iowa with directions to dismiss the

Bill of Complaint - and it is further ordered adjudged and decreed by by this Court that each party pay its own costs in this Court and in the said District and Circuit Courts.

pr Mr Jus: Catron

Dissenting
Mr Justices Nelson, Wayne & Clifford
Mr Justice Miller did not sit in this cause having been counsel in the cause in the District Court.

Proclamation being made the Court is adjourned until Monday morning at Eleven o'clock.

Monday February 2d 1863.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon Esquire Marshal
William Thomas Carroll. Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Benjamin H. Smith, it is ordered that James A Brown Esquire of Kanawha. C. H. State of Virginia be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Attorney General Bates, it is ordered that Elliott F. Shepard Esquire of New York City, State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly -

On motion first made to the Court in this behalf by Mr R. H. Gillet it is ordered that William A. Potter, Esquire of Providence State of Rhode Island be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly -

114 Lessee of Joseph C. Parrish vs Pltff in Error
Eliphalet Ferris. Jr. Jno Ferris et al

In error to the Circuit Court of the United States for the Southern District of Ohio -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by counsel, On consideration

Whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

pr Mr Jus: Nelson

	The United States	Appeal from the
	vs	District Court
204	Appl	
	Frederick A. McDougle	of the United
	Juan Francisco, Anzar	States for the
	Antolio Anzar and	Southern District
	Policromo Anzar	of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and on the motion of Mr Bates Attorney General of the United States, and of Counsel for the appellants, it is now here considered, ordered and decreed by this Court that this cause be and the same is hereby dismissed

pr Mr Ch: Jus: Taney

313 The United States vs Appls Joseph Mora Moss Horace W. Carpentier Edward F. Beale & Herman Wohler Substituted for Andres Pico

Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the Transcript of the record from the District Court of the United States for the Northern District of California, and on the motion of of Mr Bates attorney General of the United States, and of Counsel for the appellants, it is now here considered, ordered and decreed by this Court that this cause be and the same is hereby dismissed

per Mr Ch: Jus: Taney

313 The United States vs Appls Josefa Mora Moss et al

On the motion of Mr McGraw of Counsel for the Appellees it is now here ordered by the Court that leave be & the same is hereby granted the Clerk to issue a mandate in this cause during the present term of the Court.

The United States
206 vs Appts
Maria Jesus Olivera
de Coota et al

The motion filed on the 20th ultimo by Messrs Gillet & Hartman to dismiss this appeal was argued by Mr Gillet in support thereof and by Mr Wells in opposition thereto. On consideration whereof it is now here ordered by the Court that the motion be and the same is hereby overruled.

Ogilvie, Angle & Co et al
124 vs Appts
The Knox Insurance Co. et al

This cause was argued by Mr Gillet & submitted on printed argument by Mr Judah of Counsel for the appellants and on the printed argument by Mr Cookins of Counsel for the appellees.

Robert J. Harvey et al
125 vs Plffs in Er
Edward G. Tyler et al

On the motion of Mr Smith of Counsel for the Defendant in error it is ordered that two additional hours be granted him in the argument of this cause.

Robert T. Harvey et al
vs Plffs in Er
125 Edward G. Tyler et al

The argument of this cause was commenced by Mr Brown of Counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Tuesday February 3d 1863.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
David Davis

Ward H. Lamon Esqure. Marshal
William Thomas Carroll. Clerk

Proclamation being made the Court is opened.

Robert J. Harvey et al
195 vs Pffs in Er
Edward G. Tyler et al

The argument of this cause was continued by Mr Brown of Counsel for the plaintiff in error and by Mr Smith of Counsel for the Defendant in error

Proclamation being made the Court is adjourned until to morrow morning at Eleven o'clock

Wednesday February 4th 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable, Roger B. Taney — Chief Justice
James M. Wayne
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon, Esquire Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr A. S. Devin, it is ordered that D. B. Eaton, Esquire of New York City, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr O. H. Browning, it is ordered that Sandford B. Perry, Esquire of Chicago, State of

Illinois, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly -

On motion first made to the Court in this behalf by Mr A. S. White it is ordered that H. W. Chase Esquire of Lafayette, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly -

Milton C Munger John Babcock and Elijah C. Babcock 159 vs Appls John Allen	Appeal from the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, And on the motion of Mr Browning of Counsel for the appellants, Stating that the matters in controversy had been agreed and settled

between the parties. It is on consideration thereof, now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed with costs.

pr Mr Ch: Jus: Taney

125 Robert J. Harvey et al vs Pltffs in Er / Edward G. Tyler et al — The argument of this cause was continued by Mr Smith for the Defendant in error and concluded by Mr Brown for the plaintiff in error.

126 Frederick Griffing & Co Appt vs Daniel Gibb et al — This cause was argued by Mr Black & Mr Sattiam of Counsel for the appellees and submitted on a printed argument by Mr Hepburn & Mr Wilkins of counsel for the appellants.

129 Austin Summer et al vs Henry Hicks et al Appts — This cause was submitted to the consideration of the court on the

on the record and printed arguments by Mr E.S. Smith of Counsel for the appellants.

The Proprietors of the Bridges over the Rivers Passaic & Hackensack
130 vs Pliffin Er
The Hoboken Land & Improvement Co:

This cause having been called for argument & no counsel appearing ready to proceed therewith. It is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of Court.

Pedro Chaboya
131 vs Appt
The United States
&
Pedro Chaboya
288 vs Appt
The United States

These causes are Submitted to the consideration of the Court on the record and printed arguments by Mr Hepburn & Mr Wilkins of Counsel for the appellants

Wednesday February 4th 1863. Continued

The United States
vs Appls
Hiram Grimes

Mr Wills of Counsel
for the appellants
now here suggested
to the Court that
the Counsel for the appellee has failed to file
a printed argument in this case by the first
instant pursuant to the leave granted him by
an order of this Court of the 4th December last:

Proclamation being made the Court is adjourned
until tomorrow morning at eleven o'clock

Thursday. February 5th 1863

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable, Roger B. Taney. Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon Esquire. Marshal
William Thomas Carroll. Clerk

Proclamation being made the Court is opened.

The United States
vs Appls
James D. Galbraith et al

132

The argument of this cause was commenced by Mr Gillet of Counsel for the appellants and continued by Mr Hill of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday, February 6th 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr James M. Carlisle, it is ordered that R. J. Morsell Esquire of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was Sworn accordingly.

320

The Levy Court for the County of Washington vs Pltff in Er Thomas Woodward

In error to the Circuit Court of the United States for the District of Columbia

Mr Bradley, of Counsel for the defendant in error having filed & read in open Court the following certificate to wit:

"District of Columbia, County of Washington, set.

I, John A. Smith Clerk of the Circuit Court of the District of Columbia for the County of Washington, do hereby certify that in a certain judgment, rendered by said Court, at the January Term thereof, in the year 1862, in which Thomas Woodward was plaintiff and The Levy Court for the County of Washington was defendant the said Defendant did within Ten days after the rendition of said judgment file in Court here in said cause their appeal Bond, with a writ of error to carry said cause to the Supreme Court of the United States &c. And I further certify that said writ of error is still pending and that all proceedings in said cause are thereby suspended in the said

Circuit Court.

In testimony Whereof I have hereto subscribed my name & affixed the public seal of said Court for the County aforesaid this Sixth day of January 1863.

Jno. A. Smith. Clk

And having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error - Now here moved the Court - in pursuance of the 9th rule of this Court to have this writ of error docketed and dismissed - On consideration Whereof, it is now here ordered & adjudged by this Court that this writ of error to the Circuit Court of the United States for the District of Columbia be and the same is hereby docketed & dismissed with costs, and that this cause be and the same hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law & justice the said writ of error notwithstanding

pr Mr Ch: Jus: Taney

Friday February 6th 1863. Continued

Agnes R. Hazard et al
vs Appls
107 Elizabeth Braiden's Admx

On the Motion of Mr Bradley of Counsel for the Appellees. It is now here ordered by the Court that leave be and the same is hereby granted to the Clerk to issue a mandate in this cause during the present term.

Lessee of George Pomeroy et al
vs Plffs in Er
199 The State Bank of Indiana

On the Motion of Mr Chase of Counsel for the Defendant in error. It is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

The United States
vs Appls
132 James D. Galbraith et al

The argument of this cause was continued by Mr Hill & Mr Ashmun of Counsel for the appellees.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock

Monday Febuary 9th 1865

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	James M. Wayne	
	John Catron	
	Samuel Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Samuel F. Miller	
	David Davis	

Ward H. Lamon Esquire. Marshal
William Thomas Carroll. Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Daniel Lord it is ordered that Charles A. Rapallo Esquire of New York City. State of New York admitted to practice as an Attorney and Counsellor of this Court and he was Sworn accordingly.

On motion first made to the Court in this behalf by Mr Ashmun, it is ordered that F. Chamberlain Esqure of Hartford, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court and he was Sworn accordingly.

Jacob Kochler Daniel Kochler & Henry P

115 vs Appts

The Black River Falls Iron Co: William M. Hubby F. Karcher. C. Ritter, A. Janisch, F. Hauser. K Sol. Frederick Mueller. F. L. Koeniz, S. Schumacher. G Vogt: J. M. Jacob & Julias W. Hall.

Appeal from the District Court of the United States for the District of Wisconsin

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin & was argued by Counsel

On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court

in this cause be and the same is hereby affirmed with costs

per Mr Jus: Davis

The Trustees of the Wabash and Erie Canal vs Appts Joseph D. Beers

112

Appeal from the Circuit Court of the United States for the District of Indiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed so far as it finds the Sum due the plaintiff and declares his lien on the Canal and the funds in the hands of appellees and that the residue of said decree be and the same is hereby reversed and annulled. And it is further ordered adjudged and decreed by this Court that this cause be and the same is hereby remanded to the said

Circuit Court with instructions that the other bond holders of the issue under the act of 1832 shall have the same lein on paying their proportion of all the costs. and that it be referred to a Master to ascertain who those bond holders are and to notify them to come in.

And it is further ordered adjudged & decreed by this Court that the costs in this cause shall be paid by the trustees out of the trust funds in their hands

for Mr Justice Miller

John A. Parker
vs appt
116 The Winnipisiogee Lake Cotton & Woolen Manufacturing Co:

Appeal from the Circuit Court of the United States for the District of New Hampshire.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Hampshire and was argued by counsel On consideration whereof it is now here

ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr Jus: Swayne

Francis M. Wright Auditor of State: William B. Thrall, Comptroller & Alfred P. Stone, Treasurer of the State of Ohio vs Appts William F. A. Sill

119

Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio and was argued by Counsel On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Jus: Swayne

Eber B. Ward, & Stephen Clements, Survivors of Samuel Ward, dec'd Compts

vs

99

Philo Chamberlain, John A. Crawford, Ph. Chamberlin Isaac L. Hewitt. George W. McNeil et al

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and on the points and questions upon which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the act of Congress in such case made & provided and was argued by counsel. On consideration whereof it is the opinion of this Court that each of the first three questions as set forth in the record and certified to this Court should be answered in the affirmative; and in answer to the fourth question it is the

opinion of this Court that the Complainants under the demurrer, are entitled to so much of the relief prayed for as has respect to the removal of the cloud upon their title to the land described in the bill of complaint. But that the real estate mentioned can not be reached by proceedings in chancery to satisfy the decree in admiralty. Whereupon it is now here ordered, adjudged and decreed by this Court that it be so certified to the said Circuit Court

per Mr Jus: Clifford

Dissenting
Mr Jus: Grier
" " Catron

109

Daniel S. Appleton, George S. Appleton, Samuel F. Appleton & William H. Appleton
vs apples
Reuben T. Bacon and John North

Appeal from the Circuit Court of the United States for the District of Columbia

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by Counsel

On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree therein in conformity to the opinion of this Court.

per Mr Jus: Nelson

Steuben T. Bacon & John North Appts vs Daniel S. Appleton George S. Appleton. John A. Appleton. Samuel F Appleton & William H. Appleton

110

Appeal from the Circuit Court of the United States for the District of Columbia

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the District of Columbia, and was argued by Counsel On consideration Whereof, it is now here ordered, adjudged and decreed by this Court that the appeal in this cause be, and the same is hereby dismissed with costs.

for Mr Jus: Nelson

Charles Moran, Theodore T. Moran & Daniel E. Moran
vs Pffs in Er
The Board of Commissioners of the County of Miami

In error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by Counsel. On consideration whereof it is the opinion of this Court that the defendant was estopped from setting up the defences taken as set forth in the transcript of the record and that for this reason the judgment of the Court below should be reversed & annulled

Whereupon, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court sustaining the demurrers in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo

per Mr Justice Wayne

320 The Levy Court for the County of Washington vs Peff in Er Thomas Woodward

Mr Crawford of Counsel for the plaintiff in Error now here moved the Court to rescind & annul the order of the sixth instant docketing and dismissing this writ of error and for leave upon payment of the costs to file the record & docket the cause. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The United States
/ 32 vs Appts
James D. Galbraith & al

The argument of this cause was continued by Mr Black of Counsel for the United States.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Tuesday February 10th 1863

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable Roger B. Taney. Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon. Esquire. Marshal
William Thomas Carroll. Clerk

Proclamation being made the Court is opened

Mr Chief Justice Taney announced to the Bar that the Court would not hear the argument of any case after the fourth day of March next.

The United States - Appts
132 vs
James D. Galbraith et al

The argument of this cause was concluded by Mr Black of counsel for the appellants.

Greene C. Bronson et al
198 vs Appts
The La Crosse & Milwaukee Railroad Co: et al
&
Sarah Chamberlain et al
203 vs Appts
Greene C. Bronson et al

Mr Carlisle moved the Court to set down the motion of Mr Carpenter filed this date in this cause for argument next Friday. On consideration whereof it is now here ordered by the Court that the said motion be and the same is hereby set down for argument on next Friday.

Rafael Preciat. Claimt &c
134 vs Appt
The United States

The argument of this cause was commenced by Mr Carlisle of counsel for the appellants and continued

Tuesday February 10th 1863. Continued

by Mr Eames of Counsel for the United States.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday, February 11th 1863

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable, Roger B. Taney, Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Dana, it is ordered that Edward Bangs Esquire of Boston, State of Massachusetts be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

James W. Elwell. Pltff in Er
vs
169 Edward Saportas

On the motion of Mr Lord of Counsel for the defendant in error and with the assent of Mr. Benedict of Counsel for the plaintiff in error it is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

Peter Miller et al. Claimts &c
vs appts
170 The United States

The argument of this cause was commenced by Mr Edwards of Counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday. Febeuary 12th 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable. Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon. Esquire Marshal.
William Thomas Carroll. Clerk

Proclamation being made the Court is opened

Peter Miller et al. claimts &c
vs Appls
The United States

The argument of this cause was continued by Mr Edwards of counsel for the appellants & by Mr Sedgwick of counsel for the appellees.

Proclamation being made the Court is adjourned until to mor=row morning at eleven o'clock

Friday February 13th 1863.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

John B. Murray et al
vs Plffs in Er
Richard P. Lardner

305

Mr Loid of Counsel for the plaintiff in error moved the Court to rescind and vacate the judgment of the 13th ultimo docketing & dismissing this writ of error and for leave to file the record & docket the cause in conformity to the rules of this court. On

consideration whereof it is now here ordered by the Court that this motion be and the same is hereby set down for argument next Friday the 20th instant, and it is further ordered that Mr Lord notify the Counsel of the opposite party of said order.

320 The Levy Court of the County of Washington vs Pelham Thomas Woodward

Mr W. S. Cox & Mr Blanford of Counsel for the plaintiff in error moved the Court to rescind and annul the judgment entered by this Court on a prior day of the present term to wit on Friday, the 6th instant docketing and dismissing this writ of error with costs. On consideration whereof it is now here ordered and adjudged by the Court that the said judgment be and the same is hereby rescinded and annulled upon the plaintiff in error having its record filed & the cause docketed pursuant to the rules of this Court and upon paying the costs due in the cause.

John W. De. Kraffe
vs Appl
258 Samuel Chase Barney

The motion of Mr Davidge to dismiss this cause was submitted to the consideration of the Court on the record and printed arguments by Mess^rs. Davidge & Ingle in support thereof and of Mr Coyle against the same

Samuel R Curtis et al
vs Appls
307 William D. Brown

Mr Redick of Counsel for the appellants moved the Court to rescind and vacate the judgment of the 13th ultimo docketing and dismissing this appeal and for leave to file the record and docket the cause in conformity to the rules of this Court. On consideration whereof it is now here ordered by the Court that this motion be and the same is hereby set down for argument next Friday the 20th instant & it is further ordered that Mr Redick notify the counsel of the opposite party of said order.

	Maria Antonia Mesa & Jeremiah Clarke Intervenor vs Appt	Mr Gillet of counsel for Jeremiah Clarke the intervenor
244	The United States	

moved the Court to dismiss this appeal - Which was opposed by Mr Magraw of Counsel for Maria Antonio Mesa - Whereupon it is now here ordered by the Court that this motion be and the Same is hereby set down for argument next Friday the 20th instant.

	The United States vs Appt	On the motion of Mr De la Torre &
2.	Miriam Grimes	with the assent of Mr Attorney Genl

Bates and Mr Wills of counsel for the appellants, it is now here ordered by the Court that this cause be and the Same is hereby continued to the next term of this Court -

Friday February 13th 1863. Continued

Peter Miller et al. Claimts
vs appts
The United States

The argument of this cause by Mr Evarts of Counsel for the appellee and concluded by Mr Edwards of Counsel for the appellants

170

Proclamation being made the Court is adjourned until Monday Morning at eleven o'clock.

Monday. February 16. 1863.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable. Roger B Taney, Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon, Esquire. Marshal
William Thomas Carroll. Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr R. H. Gillet it is ordered that Gabriel L. Smith Esquire of Elmira, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr D. Lord it is ordered that Charles P. Crosby Esquire of Detroit, State of Michigan be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

198 Greene C. Bronson et al vs Appls The Du Crosse & Milwaukee R. R. Co: et al.

On Consideration of the Motion of Mr Black made on a prior day of the present term to wit: on Friday 5th day of December last for leave to intervene and dismiss this appeal and of the arguments of Counsel thereupon had as well in support of as against said motion. It is now here ordered by this Court that the said motion be and the same is hereby overruled.

per Mr Jus: Davis

Adam Ogilvie Horatio J. Angel & Wm St. John traders in partnership, under the firm of Ogilvie, Angel & Co. & al

1224 &c. appts

The Knox Insurance Co. & al

The appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by Counsel - On consideration whereof, it is the opinion of this Court that the decree of the said Circuit Court in this cause, is not such a final decree as can be reviewed in this Court. Whereupon, it is now here ordered and decreed by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

per Mr. Jus: Grier.

Selah Chamberlain, impleaded with the La Crosse & Milwaukee Rail Road Co: appts
vs
Greene C. Bronson & James T. Sutter. Trustee &c

Appeal from the District Court of the United States for the District of Wisconsin

253

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin, and it appearing to the Court that no citation has been issued in this case, it is now here on the motion of Mr Ewing of Counsel for the appellees, ordered and decreed by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

for Mr Ch: Jus: Taney

The United States
vs Appts
2. Hiram Grimes

It is now here ordered by the Court that the order of the Court entered in this cause on the 13 instant containing this cause to the next term be and the same is hereby rescinded and annulled & that the Motion to continue be and the same is hereby held under advisement

The People of the State of New York &c
vs Plff in Er.
181 The Commissioners of Taxes &c.

Mr Attorney General Bates now here moved the Court to set down the cause for argument on a certain day during the present term. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Joseph Osterman. Thomas J. McKinney. John H. Illis & Malvina his Wife & al vs Harvey Baldwin

appeal from the District Court of the United States for the Eastern District of Texas.

28.

Mr Baldwin of Counsel for the appellee having at the last term of this Court Suggested the death of Joseph Osterman one of the appellants and moved for an order to make the proper representatives parties pursuant to the 15th rule of Court, now here moved the Court for leave to withdraw his motion for said order and to leave his Suggestion of Ostermans death on file. On Consideration Whereof it is now here ordered by the Court that the said motion for said order be and the same is hereby considered withdrawn, & that the said Suggestion be and the same is hereby retained on the files of the Court

Monday February 16. 1863. Continued

William Currie et al
Claimants of Brig Amy
Warwick - Appts

261 vs

The United States

Robert Edmonds et al Claimts

262 vs Appts

The United States et al

&

James W. Dunlop et al Claimts

263 vs Appts

The United States et al

The argument of these causes was commenced by Mr Rogers of Counsel for the Claimants & continued by Mr Dana of Counsel for the United States.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday. February 17. 1863.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Roger B. Taney. Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon. Esqure. Marshal
William Thomas Carroll. Clerk

Proclamation being made the court is opened.

The People of the State of New York &c
vs Pff in Er
The Commissioners of Taxes &c

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On the motion of Mr Allo General Bates of Counsel for the United States and with the assent of Mr Paris of Counsel for the plaintiff in error and of Mr Carlisle of Counsel for the defendant

in error. It is now here ordered by the Court that this cause be & the same is hereby set down for argument on next Monday the 23. instant or immediately following the prize causes now under argument.

The People of the State of New York &c
vs Plffs in Error
The Commissioners of Taxes &c

On the motion of Mr Atto. Genl. Bates of Counsel for the

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plaintiff in error & of Mr Carlisle of Counsel for the defendant in error. It is now here ordered by the Court that this cause be and the same is hereby set down for argument on next Monday the 23 instant or immediately following the prize causes now under argument.

Tuesday February 17. 1863. Continued

William Currie et al, Claimts &c

261 vs Appts

The United States

&

Robert Edmonds, et al. Claimts

262 vs Appts

The United States et al

&

James W. Dunlop et al, Claimts

263 vs Appts

The United States et al

The argument of these causes was continued by Mr Dana of Counsel for the United States & concluded by Mr Bangs of Counsel for the Claimts

John Currie et al, Claimts &c

163 vs Appts

The United States

The argument of this cause was commenced by Mr Edwards of Counsel for the Claimants

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Wednesday. February 18. 1863.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier associate
Nathan Clifford Justice
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon Esquire. Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On Motion first made to the Court in this behalf by Mr. Henry S. Lane it is ordered that David Turpie Esquire of Monticello, State of Indiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

Wednesday. February 18. 1863. Continued

163 John Currie & al. Claim'ts
vs Appts
The United States

The argument of this cause was continued by Mr Edwards & Mr Lord of Counsel for the Appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday. February 19th 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable, Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward A. Lamon, Esquire. Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

John Currie et al, Claimts &c
vs
The United States

163

The argument of this cause was continued by Mr Lord of Counsel for the appellants & by Mr Eames of Counsel for the appellees.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock

Friday February 20th 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon, Esquire. Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr M. H. Carpenter, it is ordered that Albert C. Ingham of Madison, State of Wisconsin be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

	Daniel S. Appleton et al	On the motion
	vs Appts	of Mr Mc
104	Reuben T. Bacon et al	Calla of
	and	Counsel for
	Reuben T. Bacon et al	D. S. Apple
	vs Appts	=ton & Co &
110	Daniel S. Appleton et al	with the
		assent of

Mr Carlisle of Counsel for R. T. Bacon et al It is now here ordered by the Court that the Clerk may issue mandates in these causes during the present term of the Court.

	Maria Antonia Mesa &	The motion
	Jeremiah Clarke. Intervenor	filed to dismiss
	vs Appts	this appeal
244	The United States	was argued
		by Mr Gillet

in support thereof and by Mr Magraw and Mr McDougal in oppition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Greene C. Bronson et al
vs Appts
198 The La Crosse & Milwaukee
R. R. Co.

The motion filed yesterday to dismiss this cause was argued by Mr Carpenter & Mr Black in support thereof and by Mr Carlisle and Mr Ewing in oppo=sition thereto - Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

Greene C. Bronson et al
vs Appts
198 The La Crosse & Milwaukee R. R. Co.
and
Henry Vallette impleaded with the La Crosse & Milwaukee Rail Road Co et al
vs Appts
200 Greene C. Bronson et al

The motion filed this date by Mr Lowdey to dismiss these appeals was argued by him in Support thereof - to here=upon this Court not being now here sufficiently advised of & concern=ing what order to render in the premises took time to consider.

John B. Murray et al		The motion filed
305	vs pltffs in Er	on the 13 instant
Richard P. Lardner		to rescind the
		judgment entered

in this cause was argued by Mr Lord in support thereof and by Mr Cope in opposition thereto - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

John Currie et al. Claimts &c		The argument
163	vs Appts	of this cause
The United States		was continued
		by Mr Eames

of Counsel for the United States.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday February 23d 1863.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	James M. Wayne	
	John Catron	
	Samuel Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Samuel F. Miller	
	David Davis	

Ward H. Lamon Esquire Marshal
William Thomas Carroll. Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr R. H. Dana, it is ordered that Causten Browne Esquire of Boston, State of Massachusetts, be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr Daniel Lord, it is ordered that Alexander W. Bradford and John E. Devlin Esquires of New York City State of New York, be admitted to practice as Attorneys and Counsellors of this Court and they were Sworn accordingly.

131 Pedro Chaboya vs The United States — Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed

per Mr. Jus: Miller

Pedro Chaboya - Appl
vs
The United States

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Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by Counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed

per Mr Jus: Miller

Austin Sumner, John R Kimball, Edwin E. Tuffs & Charles W. Pierce
vs Compts & Appts
Henry Hicks, Asa Hicks and John R. Forbes

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Appeal from the District Court of the United States for the District of Wisconsin

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged & decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs.

per Mr Jus: Swayne

The United States vs appts Hiram Grimes

Upon reconsideration the Court is of opinion that the reason assigned for the continuance of the case is insufficient. And it is therefore ordered that the continuance be stricken out & the Court will proceed according to its rules to decide the case at the present term.

2

The United States vs appts Hiram Grimes

Appeal from the District Court of the United States for the Northern District of California

2.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel - On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed - and that this cause be and the same is hereby remanded to the said District Court for further proceeding to be had therein in conformity to the opinion of this Court

per Mr Jus: Grier

126 Frederick Griffing vs Appt
William Gibb Exor of
Daniel Gibb. decd
Donald Fraser

Appeal from the Circuit Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the

Circuit Court of the United States for the Northern District of California and was argued by Counsel. On Consideration Whereof, it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be & and the same is hereby reversed each party paying his own costs on this appeal in this Court, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

pr Mr Jus: Wayne

Maria Antonia Mesa
Claimant & Jeremiah
Clarke, Intervenor
vs appts
The United States

Appeal from the District Court of the United States for the Northern

244

District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the

Northern District of California, and on the motion of Mr Gillet of Counsel for the Intervenor to dismiss this appeal because the said transcript was not filed during the term next Succeeding the appeal, and the same was argued by counsel - On consideration whereof it is the opinion of this Court that the motion should be granted on the ground that the appeal had not been prosecuted in the manner directed, and within the time limited by the act of Congress by filing the transcript in this Court during the next Succeeding term as aforesaid - it is therefore now here ordered & decreed by this Court that this appeal be and the same is hereby dismissed

Per Mr Ch: Jus: Taney

John W. Mc Kraff
vs
Samuel Chase Barney

258 Appeal from the Circuit Court of the United States for the District of Columbia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by Counsel. On Consideration whereof it is now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

per Mr Ch: Jus: Taney

305 John B. Murray et al vs Pffs in Er / Richard P. Gardner

Mr Lord of Counsel for the plaintiffs in error moved the Court to rescind and annul the judgment entered by this Court on a prior day of the present term to wit on Tuesday the 13 of January, docketing and dismissing this writ of error with costs. On Consideration Whereof it is now here ordered and adjudged by the Court that the said judgment be and the same is hereby rescinded and annulled upon the plaintiffs in error having their record filed & the cause docketed pursuant to the rules of this Court & upon paying the costs due in the cause.

Robert T. Harvey et al
125 vs Plffs in Er
Edward G. Tyler et al

It is now here ordered by the Court that this cause be & the same is hereby held under advisement, and that it be and hereby is continued to the next term of the Court.

John Currie et al, Claimants
163 vs Appts
The United States

The argument of this cause was continued by Mr Evans of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday February 24th 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable, Roger B. Taney — Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr William M. Evarts, it is ordered that Montgomery Gibbs, and Mathew Mc Mahan Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Hutchins, it is ordered that A. P. Carpenter Esquire, of Bath State of New Hampshire, be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly

John W. Mc Krafft
vs Appt
Samuel Chase Barney

On the Motion of Mr Carlisle in behalf of Mr Davidge of Counsel for the appellee - It is ordered by the Court that the Clerk may issue a writ of procedendo in this cause during the present term.

258

John Curren & al Claim't &c
vs Appts
The United States

The argument of this cause was continued by Mr Evarts of Counsel for the appellee.

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Tuesday February 24: 1863. Continued

134 Rafael Peoria, Claim. &c vs The United States Appts

The argument of this cause was continued by Mr Carlisle of counsel for the appellant

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock

Wednesday February 25th 1863.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened -

134 Rafael Preciat, Claimt &c vs Appts The United States

The Argument of this cause was concluded by Mr Carlisle of Counsel for the appellants -

163 John Currie et al. claimts &c vs The United States applts

The argument of this cause was concluded by Mr Ford of counsel for the appellants.

181 The People of the State of New York &c vs The Commissioners of Taxes &c pltff in Er

The argument of this cause was commenced by Mr Bradford of counsel for the plaintiff in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Thursday February 26. 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Hutchins, it is ordered that John M. Grimes Esquire of Princeton State of Illinois, be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly

181 The People of the State of New York &c vs The Commissioners of Taxes &c Plffs in Er

The argument of this cause was continued by Mr Bradford of Counsel for the plaintiff in error and by Mr Develin of Counsel for the Defendant in Error.

319 The People of the State of New York &c vs The Commissioners of Taxes &c Plffs in Er

The argument of this cause was continued by Mr Lord of Counsel for the Plaintiff in Error.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Friday February 27. 1863.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. S. Black it is ordered that Israel T. Richardson Esquire of Delaware, State of Ohio be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.

On Motion first made to the Court in this behalf by Mr I. I. Redick it is ordered that David L. Collier Esquire of Omaha. Territory of Nebraska be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On Motion first made to the Court in this behalf by Mr. B. A. Hill it is ordered that Washington I. Gilbert Esquire of Washington City, District of Columbia, & Charles D. Gilfillan Esquire of St Paul State of Minnesota, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

On Motion first made to the Court in this behalf by Mr Carlisle, it is ordered that Horace R. Bigelow & Samuel R. Bond Esquires of St Paul State of Minnesota & David A. Secombe Esquire of St Anthony, State of Minnesota, be admitted to practice as attorneys & Counsellors of this Court & they were sworn accordingly.

The United States etal
vs Appt
280 David G Cooke. Claimt
of Schooner "Venice" &c

Mr Attorney General Bates of Counsel for the Appellants

moved the Court to continue this cause to the next term. Which was opposed by Mr Reverdy Johnson of Counsel for the appellee. On Consideration Whereof it is now here ordered by the Court that this cause be & the same is hereby continued to the next term of this Court.

John P. Ingle, Exo. of
Ann R. Dermott dec.
vs pltff in Er
246 Charles S. Wallach

Mr Carlisle of Counsel for the defendant in Error

having suggested the death of John P Ingle, Exo. of Ann R. Dermott. dec. the plaintiff in error, moved the Court for an order under the 13th rule of Court to make the proper representatives parties. On Consideration whereof it is now here

Ordered by this Court that unless the proper representatives of the said John P. Ingle Exo² as aforesaid shall voluntarily become parties within the first ten days of the ensuing term of this Court the defendant in error shall be entitled to have this writ of error dismissed Provided that a copy of this order shall be printed in some newspaper at the seat of Government, in which the laws of the United States shall be printed by authority, for three successive weeks, at least Sixty days before the beginning of the term of the Supreme Court next ensuing.

John P. Ingle, Exo² of Ann R. Dermott, decd vs Jephemiah Jones

247 Plff in Er

Mr Carlisle of Counsel for the defendant in error having suggested the death of John P. Ingle Exo² of Ann R. Dermott decd the plaintiff in error moved the Court for an order under the 15th rule of Court to make the proper representatives parties. On consideration whereof it is now here ordered

by this Court that unless the proper representatives of the said John P. Ingle Exr: as aforesaid shall voluntarily become parties within the first ten days of the ensuing term of this Court the defendant in error shall be entitled to have this writ of error dismissed. Provided that a copy of this order shall be printed in some newspaper at the Seat of Government in which the laws of the United States shall be printed by authority for three successive weeks at least Sixty days before the beginning of the term of the Supreme Court next ensuing.

Samuel R. Curlis &ae
vs Appls
307 William D. Brown

Mr Redick of Counsel for the appellants, & with consent of Mr Carlisle of Counsel for the appellee moved the Court to rescind & annul the judgment entered by this Court on a prior day of the present term to wit on Tuesday January 13th docketing & dismissing this appeal with costs

On consideration whereof it is now here ordered and adjudged by the Court that the said judgment be & the same is hereby rescinded & annulled upon the appellants having their record filed and the cause docketed pursuant to the rules of this Court & upon paying the costs due in the cause.

Anthony Van Dam
vs Pltff in Er
Doan. King & Co:

Mr Carlisle of Counsel for the defendant in Error moved the Court to dismiss this cause. On Consideration whereof it is now here ordered by the Court that said motion be & the same is hereby overruled.

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The United States
vs Appt.
James D. Galbraith & al

Mr Ashmun of Counsel for the appellees moved the Court to receive certain photographic copies now here offered by him in this cause, which was opposed by Mr Black of Counsel for the Appellants. On Consideration whereof it is now here ordered by the Court that said

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motion be and the same is hereby overruled

Frederick Griffing vs Daniel Gibb et al

126 Appt

Mr Black of Counsel for the appellee having filed & read in open court the following motion in this cause, to wit:

"And now comes William Gibb, Exr of the Estate of Daniel Gibb, deceased and hereby enters his appearance in above entitled action as such executor, & solicits that he be made a party Defendant thereto in lieu of said Daniel Gibb, deceased and as the Executor of said Daniel Gibb."

And having moved the Court accordingly - It is thereupon now here ordered by the Court that the appearance of William Gibb, the Executor of Daniel Gibb deceased, be entered as the appellee in this cause and that he be and hereby is made the party appellee in this cause with leave to resist this writ of error, nunc pro tunc, as of the second day of February instant.

181 The People of the State of New York vs pltffs in Er The Commissioners of Taxes &c

The argument of this cause was continued by Mr Brady of Counsel for the defendant in error & concluded by Mr Bradford of Counsel for the plaintiff in error and submitted by Mr Lord in behalf of the United States intervenors.

319 The People of the State of New York &c vs pltffs in Er The Commissioners of Taxes &c

The argument of this cause was continued by Mr Brady of Counsel for the defendant in Error and concluded by Mr Lord of Counsel for the plaintiff in error

Proclamation being made the Court is adjourned until Monday Morning at eleven o'clock.

Monday March 2d 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable. Roger B. Taney, Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier, Associate
Nathan Clifford, Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon Esqure Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

198 Greene C. Bronson et al
vs
The La Crosse & Milwaukee R.R.Co: appts

On Consideration of the motion to dismiss this appeal filed by Mr Carpenter on the 19th ultimo & of the motion to dismiss this appeal filed by Mr Lowdy on the 20th ultimo & of the arguments of Counsel thereupon had as well in support of as against the same, It is now here ordered by this Court that the said

motions be and the same are hereby overruled

Maria Antonia Mesa & Jeremiah Clarke. Intervenor vs Appts. The United States — Mr Black now here moved the Court to reinstate this

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cause upon the docket. Which was opposed by Mr Gillet of Counsel for J Clarke intervenor. On Consideration Whereof it is now here ordered by this Court that said motion be & the same is hereby overruled.

Ex parte: In the matter of The Dubuque & Pacific R.R. Co: vs Petitioners Edwin C. Litchfield — Mr Mason of Counsel for the respondent move the

5. Otg

Court for leave to withdraw his briefs filed in this cause. On Consideration Whereof it is now here ordered by the Court that the leave prayed for be and the same is hereby granted.

Henry Vallelle impleaded with the La Crosse and Milwaukee R.R. Co. et al vs Appts
200 Greene C. Bronson et al

On consideration of the motion to dismiss this appeal filed by Mr Cowdry on the 20th ultimo and of the arguments of Counsel thereupon had as well in support of as against the same, It is now here Ordered by the Court that the said motion be and the same is hereby overruled.

Maria Ygnacia Bale de Peabody & Benjamin S. Brooks Intervenors. Appts
329 vs The United States

Mr Wilkins of Counsel for the Claimant having filed & read in open Court the following certificate to wit:—

"District Court of the United States
Northern District of California

The United States vs George C. Yount. Claimant Mathew D. Ritchie.

District Court No 32
Land Com: No 243
"Caymus"

Intervenor & Maria
Ygnacia Bale de Peabody
& Benjamin S. Brooks. Intervenors

I William H. Chevers, Clerk of the District Court of the United States for the Northern District of California do hereby certify that on the 14th day of August A.D. 1861. a decree was entered herein, approving the official survey of the land claimed in this case, made by the United States Surveyor General for California, the field notes whereof were by him approved on the 19th day of August A.D. 1857. and that on the 15th day of October 1861. an appeal from said decree was sued out by the Intervenors last above named, viz. Maria Ygnacia Bale de Peabody and Benjamin S. Brooks, which said Appeal was thereupon allowed by this Court.

In testimony Whereof I have hereunto set my hand, and affixed the Seal of the said Court this Sixth day of November A.D. 1862.

Seal

Wm. H. Chevers
Clerk.

and having stated that the appellants has altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal. Now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On Consideration Whereof it is now here ordered & adjudged by this Court that this appeal from the District Court of the United States for the Northern District of California be and the same is hereby docketed and dismissed, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law & justice the said appeal notwithstanding

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The Mayor & Common Council of the City of Sonoma. Intervenors vs appls The United States

Mr Wilkins of Counsel for the claimant, having filed & read in open Court the following

certificate to wit:-

"District Court of the United States
Northern District of California

The United States &c vs Mariano G. Vallejo

Dist: Court No 321
Land Com: No 250
"Petaluma"

I. W. H. Chevers Clerk of the District Court of the United States for the Northern District of California, do hereby certify that on the 11th day of February A.D. 1862 a decree was entered approving the official survey of the land confirmed herein, and that on the 26th day of April A.D. 1862. an appeal was sued out & allowed the intervenors the Mayor, and Common Council of the City of Sonoma

Seal

In testimony whereof, I have hereunto set my hand & affixed the Seal of the said Court this 26th day of December 1862.

W. H. Chevers
Clerk

and having stated that the appellants had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal. Now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered & adjudged by this Court that this appeal from the District Court of the United States for the Northern District of California be and the same is hereby docketed & dismissed, and that this cause be & the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law & justice the said appeal notwithstanding.

Proclamation being made the Court is adjourned until Friday, morning at 11. o'clock.

Friday March 6th 1863

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable James M. Wayne. Senior associate Justice

Ward H. Lamon Esquire Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

Mr Justice Wayne announced to the Bar that at the request of the Chief Justice and other associate Justices of the Court, he would adjourn the Court over to next Tuesday at 12 O'clock and that the Court would then assemble and read the opinions in the cases which were decided.

Proclamation being made the Court is adjourned until Tuesday next at 12. o'clock

Tuesday March 10th 1863.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable, James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Ward H. Lamon Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr I. H. Bradley, it is ordered that John P. C. Shanks, & James M. Templer, Esquires, of Day Court House State of Indiana, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr I. I. Coombs it is ordered that John Jolliffe Esquire of Washington City, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court and he was Sworn accordingly

Order of Court

There having been two Associate Justices of this Court appointed since its last session it is ordered that the following allotment be made of the Chief Justice and Associate Justices of said Court among the Circuits, agreeably to the act of Congress in such case made and provided: and that such allotment be entered of record, viz:

For the first Circuit	Nathan Clifford	Associate Justice
For the Second Circuit	Samuel Nelson	Associate Justice
For the third Circuit	Robt C. Grier	Associate Justice
For the fourt Circuit	Roger B. Taney	Chief Justice
For the fifth Circuit	James M. Wayne	Associate Justice
For the Sixth Circuit	John Catron	Associate Justice
For the Seventh Circuit	Noah H. Swayne	Associate Justice
For the Eighth Circuit	David Davis	Associate Justice
For the ninth Circuit	Samuel F. Miller	Associate Justice
For the tenth Circuit		Associate Justice

123 Andres Castillero vs appt. The United States — Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California & was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the appeal in this cause be and the same is hereby dismissed

per Mr Jus: Clifford

Dissenting
Mr Jus: Wayne
" " Catron
" " Grier

Mr Ch: Jus: Taney who was prevented by indisposition from attending, authorized Judge Clifford to say that he concurred in the opinion of the Court.

The United States
vs Appts
Andres Castillero

Appeal from the District Court of the United States for the Northern District of California

133

This Cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California & was argued by Counsel. On Consideration Whereof it is now here ordered adjudged and decreed by this Court that so much of the decree of the said District Court as dismisses the petition of the said Andres Castillero for two Square leagues of land be and

the same is hereby affirmed, and that the residue of the said decree be and the same is hereby reversed and annulled, and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the entire petition of the claimant.

(per Mr Jus: Clifford.)

Dissenting
Mr Jus: Wayne
" " Catron
" " Grier

Mr Ch: Jus: Taney
Who was prevented
by indisposition from
attending authorized
Judge Clifford to say
that he concurred in the opinion of the Court.

Rafael Pascal, Claimant
of the Mexican Schooner
Brilliant & Cargo
vs appt
134 The United States

Appeal from
the District
Court of the
United States
for the
Southern

District of Florida.

This cause came on to be heard on the transcript of the record from the District Court of the United States for

the Southern District of Florida & was argued by Counsel - On Consideration Whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

pr Mr: Jus: Grier

Dissenting Mr: Ch: Jus: Taney

Mr Jus: Catron

" " Nelson

" " Clifford

Charles H. Pierson for John Curnic & al Claimants of Schooner Crenshaw. John Caskie & al, claimants of 108 Hogsheads & 47 half Hogsheads of tobacco, part of the Cargo - Henry Sudlam, on behalf of himself & al, claimants of Ten tierces tobacco skips, part of the Cargo. Richard Irvin & al on behalf of themselves & al Claimants of 30 tierces tobacco skips part of the Cargo

Appeal from the Circuit Court of the United States for the Southern District of New York

163 vs Appts

The United States

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel.

On Consideration Whereof it is now here ordered & adjudged & decreed by this Court that so much of the decree of the said Circuit Court in this cause as condemns as lawful prize the Thirty Tierces of Tobacco Strips claimed by Richard Irwin, Alexander M. Proudfit, Jacob S. Wetmore and Alexander P. Irvin be and the same is hereby reversed & annulled, and that the residue of the said decree in all respects be and the same is hereby affirmed. And it is further ordered, adjudged & decreed by this Court that this cause be & the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

Dissenting — Mr Justice Grier

Mr Ch: Jus: Taney

Mr Justices Catron. Nelson & Clifford

Peter Miller et al, Claimants of the Bark Hiawatha her Cargo &c

vs Appts

The United States

Appeal from the Circuit Court of the United States for the Southern District of New York.

170

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Southern District of New York & was argued by Counsel - On Consideration whereof, it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed

per Mr Jus: Grier

Dissenting

Mr Ch: Jus: Taney

" Jus: Catron

" " Nelson

" " Clifford

William Currie, David Currie, Abraham Warwick & George W. Allen, Claimants of the Brig Amy Warwick her tackle, apparel & furniture

applts

vs

261

The United States, Overton Carr, Commander of the United States Man of War Quaker City, & Silas H. Stringham Flag Officer of the Atlantic Blockading Squadron et al. Libls

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts & was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be & the same is hereby affirmed.

per Mr Justice Grier

Dissenting Mr Ch: Jus: Taney
" " Catron
" " Nelson
" " Clifford

Robert Edmonds, Isaac Davenport Jr & James Blan Claimants of part of the Cargo of the Brig Amy Warwick vs Appts
262 The United States. Overton Carr. Commander of the United States man of War Quaker City, and Silas H. Stringham Flag Officer of the Atlantic Blockading Squadron &al. Libts.

Appeal from the Circuit Court of the United States for the District of Massachusetts

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by Counsel. On Consideration Whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the

Said Circuit Court in this cause be and the same is hereby affirmed.)

per Mr Jus: Grier

Dissenting
Mr Ch: Jus: Taney
" " Catron
" " Nelson
" " Clifford

James W. Dunlop, Henry M Moncure & Thomas W. McCance. Claimants of part of the Cargo of the Brig Amy Warwick. appls

vs

The United States, Overton Carr Commander of the United States Iron of War Quaker City, & Silas H. Stringham Flag Officer of the Atlantic Blockading Squadron et al. Libts.

1863

Appeal from the Circuit Court of the United States for the District of Massachusetts

This cause came on to be heard on the transcript of the record from the

Circuit Court of the United States for the District of Massachusetts & was argued by Counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed.

per Mr. Jus: Grier

Dissenting Mr Ch: Jus Taney
Mr Jus: Catron
" " Nelson
" " Clifford

The United States
132 vs Appls
James D. Galbraith
& Thos Sims. Richard
H. Linton & David
J. Bagby

Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California & was argued by Counsel - On consideration

whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the petition of the Claimants.

pr Mr Jus: Nelson

Dissenting
Mr Jus: Wayne
" " Catron
" " Grier
" " Miller

Mr Ch: Jus: Taney who was prevented by indisposition from attending authorized Judge Nelson to say that he concurred in the opinion of the Court

Tuesday March 10th 1863. Continued.

181

The People of the State of New York, ex rel. The Bank of the Commonwealth

vs

The Commissioners of Taxes & assessments for the City & County of New York.

In error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to the opinion of this Court.

Mr Justice Nelson

The People of the State of New York, on the relation of the Bank of Commerce in New York vs The Commissioners of taxes & Assessments for the City & County of New York

In Error to the Court of Appeals of the State of New York

319

This cause came on to be heard on the Transcript of the record from the Court of Appeals of the State of New York and was argued by Counsel.

On Consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be and the same is hereby reversed with Costs and that this cause be and the same is hereby remanded to the said Court of Appeals for further proceedings to be had therein in conformity to the opinion of this Court.

per Mr. Jus: Nelson

William Maynes
vs Pltff in Er
Robert Moore and
Henry I. Brandenburg

Mr Porter of Counsel for the defendants in error having filed and read in open Court the following certificate to wit

332

William Maynes
vs
Robert Moore and
Henry I. Brandenburg

Appeal from the Union Circuit Court.

I, John P. Jones, Clerk of the Supreme Court of the State of Indiana certify that heretofore to wit on the 8th day of May A.D. One thousand eight hundred and Sixty, the transcript of the record of the Court below in the above entitled cause was filed in the Clerks Office of the Supreme Court of Indiana:

That afterwards to wit on the 29 day of May came the parties by their Attorneys and the Court being sufficiently advised in the premises gave the following opinion and judgment: (insert opinion)

It is therefore considered by the Court that the judgment of the Court below in the above entitled cause be in all things approved at the cost of the appellants, all which is ordered to be certified to the Union Circuit Court. And it is further considered by the Court that the appellees recover of the appellant the sum of $25 87/100 for their costs & charges in this behalf expended.

That afterwards to wit on the twenty eighth Day of August A.D. 1861. William Maynes sued out a writ of error in said cause from the Supreme Court of the United States to remove said cause to said Court, and that said writ was duly sued out and allowed.

In Witness Whereof I have signed my name & affixed the Seal of said Court at Indianapolis this 28th day of February A.D. 1863.

John P. Jones
Clerk Supreme Court

and having stated that the plaintiff in

Error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error. Now here moved the Court in pursuance of the 9th rule of this Court to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error to the Supreme Court of the State of Indiana be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law & justice the said writ of error notwithstanding.

Charles Merriam
vs Appt
265 George Haas & ux

Mr Carlisle of Counsel for the defendants in error having

filed and read in open Court a Suggestion of a diminution of the record in this case in the words & figures following, to wit:

"The omission of the decree of the said Court for the sale of the mortgaged premises

and the sale of the said premises and the proceedings under said decree." By reason of which omission and errors aforesaid the said Counsel now here moved the Court to award a writ of Certiorari to be directed to the Judge of the District Court of the United States for the District of Minnesota commanding him that searching the records & proceedings of said Court in this cause he shall certify to this Court under the Seal of the said District Court whatever omissions & errors shall be found. On consideration whereof it is now here ordered and decreed by this Court that a writ of Certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judge of the said District Court commanding him that searching the records & proceedings aforesaid he forthwith certify to this Court under the seal of the said District Court whatever omissions & errors shall be found in this cause & return the same with the said writ of Certiorari forthwith to this Court.

per Mr Jas: Wayne

Order of Court.

Ordered, Upon the request of the Chief Justice that the following letter from him to the Secretary of the Treasury be entered on the records of the Court.

Washington Feb 16. 1863

Sir

I find that the act of Congress of the last Session imposing a tax of three per cent on the salaries of all officers in the employment of the United States, has been construed in your Department to embrace Judicial Officers, & the amount of the tax has been deducted from the salaries of the Judges.

The first section of the third article of the Constitution provides, that "The judicial power of the United States shall be vested in one Supreme Court, and such inferior Courts, as Congress may from time to time ordain & establish. The Judges of both the Supreme & Inferior Courts shall hold their Offices during good behavior, & shall at stated times, receive for their services a

compensation which shall not be diminished during their continuance in office"

The act in question, as you interpret it, diminishes the compensation of every Judge three per cent, and if it can be diminished to that extent by the name of a tax, it may in the same way be reduced from time to time at the pleasure of the Legislature.

The Judiciary is one of the three great Departments of the Government created & established by the Constitution. Its duties & powers are specifically set forth, and are of a character that requires it to be perfectly independent of the two other Departments. And in order to place it beyond the reach & above even the suspicion of any such influence, the power to reduce their compensation is expressly withheld from Congress & excepted from their powers of Legislation.

Language could not be more plain than that used in the Constitution. It is moreover one of its most important & Essential provisions. For the articles which limit the powers of the Legislature & Executive

Branches of the government and those which provide safeguards for the protection of the citizen in his person and property would be of little value without a Judiciary to uphold and maintain them, which was free from every influence direct or indirect that might by possibility in times of political excitement warp their judgments.

Upon these grounds I regard an act of Congress claiming in the treasury a portion of the compensation of the Judges, as unconstitutional & void; and I should not have troubled you with this letter, if there was any mode by which the question could be decided in a judicial proceeding. But as the Judges of the Courts of the United States have an interest in the question, and could not therefore with propriety undertake to hear and decide it.

I am however not willing to leave it to be inferred from my silence that I admit the right of the Legislature to diminish in this, or any other mode, the compensation of the Judges when once fixed by law: and my silence would naturally - perhaps necessarily - be looked upon as a acquiescence on my part in the power claimed &

exercised under this act of Congress: & would be regarded as a precedent, establishing the principle that the Legislature may at its pleasure regulate the salaries of the Judges of the Courts of the United States, & may reduce their compensation whenever Congress may think proper.

Having been honored with the highest judicial Station under the Constitution, I feel it to be more especially my duty, to uphold & maintain the Constitutional rights of that department of the Government, & not by any act or word of mine, leave it to be supposed that I acquiesce in a measure that displaces it from the independent position assigned to it by the Statesman who framed the Constitution. & in order to guard against any such influence, I present to you this respectful, but firm & decided remonstrance against the authority you have exercised under the act of Congress. And request you to place this protest upon the public files of your Office as the evidence that I have done every thing in my power to preserve & maintain the Judicial Department in the position & rank in the Government which the Constitution has assigned to it. I am Sir

Hon: S. P. Chase
Sec: of Treasury

Very respectfully Yours
R. B. Taney

Proclamation being made the Court is adjourned to the time and place appointed by Law.

At the Capitol of the United States in the City of Washington and District of Columbia, being the present Seat of the National Government of the United States on the first Monday of December (being the Seventh day of the same Month) in the year of our Lord one thousand eight hundred and Sixty three and of the Independence of the United States the Eighty Eighth, the Supreme Court of the United States met agreeable to law.

Present

The Honorable	Roger B. Taney	Chief Justice
	James M. Wayne	
	John Catron	
	Samuel Nelson	Associate
	Robert C. Grier	Justices
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	
	David Davis	
	Stephen J. Field	

Wm S. Lamon Esquire. Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

Mr Chief Justice Taney, announced that William Thomas Carroll late Clerk of this Court, having died since the last adjournment of the Court it is hereby ordered that Daniel Wesley Middleton be and he is hereby appointed Clerk of the Supreme Court of the United States. and that he forthwith take the oaths of office. and give bond with two Sureties in the penalty of two thousand dollars for the faithful performance of the duties of his office.

When we are appointing a Successor to Mr Carroll it is but justice to his memory to say that he was an accomplished & faithful officer. prompt & exact in business & courteous in manner. And during the whole period of his official life discharged the duties of his office with justice to the public & the Suitors. And to the entire satisfaction of every Member of the Court.

We sincerely deplore his death & direct this order to be entered on the records of the Court. And a copy of it transmitted to his widow. by the Clerk. to mark our respect & esteem for the deceased. And our sympathy with the sorrows of his afflicted family.

Daniel Wesley Middleton then appeared and took the oaths of Office and gave bond as required by Law, Which bond was approved & ordered to be entered on the Minutes then to be deposited with the Register of the Treasury of the United States, Said Daniel W. Middleton taking a receipt therefor, and filing the Same in the Office of the Clerk of this Court.

Which bond is in the words & figures following, viz

Know all men by these presents,

That we Daniel Wesley Middleton, William H. Morrison & Thomas D. Mercer, are held & firmly bound unto the United States of America in the penal Sum of two thousand Dollars lawful money of the United States, to be paid to the said United States or their certain Attorney: To which payment well & truly to be made, we bind ourselves our, & each of our heirs, executors & administrators jointly & severally, firmly by these presents: Sealed with our seals, and dated this seventh day of December, A.D. One thousand eight hundred & Sixty three

Whereas the above bounden David Wesley Middleton hath been appointed Clerk of the Supreme Court of the United States

Now therefore, the Condition of the above obligation is such, that if the said Daniel Wesley

Middleton shall faithfully discharge the duties of said Office, and shall seasonably record the decrees judgments, & determinations, of the said Court, then this obligation to be void: Otherwise to remain in full force and virtue in law.

D. W. Middleton (Seal)
Wm H. Morrison (Seal)
Thos S. Mercer (Seal)

Signed, Sealed and
delivered in presence of
Robt. H. Broom
Jas H. McKenney

Approved December 7. 1863
R. B. Taney
Chief Justice

I Daniel Wesley Middleton, do solemnly swear that I will support the Constitution of the United States. So help me God! —
D. W. Middleton

I Daniel Wesley Middleton, being appointed Clerk of the Supreme Court of the United States, do solemnly swear that I will truly & faithfully enter and record all the decrees, orders, judgments & proceedings of the said Court, and that I will faithfully & impartially discharge & perform all the duties of my said office, according to the best of my abilities & understanding. So help me God.

D. W. Middleton

I. Daniel Wesley Middleton, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof that I have voluntarily given no aid, countenance counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States, that I have not yielded a voluntary support to any pretended Government Authority, power or Constitution within the United States, hostile or inimical thereto

And I do further swear that, to the best of

my knowledge and ability. I will support and defend the Constitution of the United States against all enemies, foreign & domestic, that I will bear true faith & allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, & that I will well & faithfully discharge the duties of the Office, on which I am about to enter. So help me God.

W. W. Middleton

Sworn and subscribed to before me this Seventh day of December A.D. 1863.

R. B. Taney
Chief Justice

It was further ordered that the following communications be entered on the minutes

Washington July 16. 1863

Sir

There is no act of Congress authorizing the appointment of a Clerk of the Supreme Court to fill a vacancy that happens in the recess. No process can therefore issue

from the Court, nor any paper or document be verified by an official certificate or Seal of the Court, until the meeting of the Court on the first Monday in December next, when a Successor to Mr Carroll will be appointed - But great public inconvenience would arise and private interests suffer if the Office of the Clerk is closed until the meeting of the Court. For in that case the records of appeals & writs of error to the Supreme Court could not be filed - nor printed - nor the dockets made out - I think there is no legal objection to open the Office for such purposes so that the Court may proceed as usual with the Business of the next Term.

I propose therefore to direct you to open the Office, and take charge of the papers & records belonging to the Court & transact the Business above mentioned & any other routine Business not requiring an official certificate or Seal. This Course was pursued upon the death of Mr Griffith who died soon after a Term of the Court had ended

The Office was kept open during the vacation under the authority of the Court.

You will please send a copy of this letter to each of the Judges. and request an answer at their earliest convenience as I shall not act in the matter until I know that a Majority of the Judges approve of the course above indicated.)

Respectfully
Your Obt Servt
R. B. Taney

Mr D. W. Middleton
Deputy Clerk

The Chief Justice with the unanimous concurrence of the Associate, made the following order in the premises.

"Washington July 31. 1863

Sir

The Supreme Court will not appoint a Clerk to fill the vacancy occasioned by the death of Mr Carroll, until they meet in December next. But in the mean time & until a Clerk is appointed, you will

take charge of the records, & papers belonging to the Court, and keep the Office open for the transaction of the ordinary routine business of the Court. You will mark on the Transcripts sent up from the inferior Courts the day on which they are respectively lodged in the Office. You will have them printed as usual & dockets made out for the next Term. But you will issue no process which requires Seal of the Court to be affixed to it. Nor verify by an official certificate or by the seal of the Court the copy of any paper in the Office. But the mandates in the cases decided at the last Term, which were prepared in due form in Mr Carroll's life time, with the Seal affixed to them. And which yet remain in the Office may be delivered to the parties entitled to call for them

Respectfully

Your Obt Servt

R. B. Taney

Ch: Jus: of the Supreme Court of the United States

D. W. Middleton Esq

Deputy Clerk of the

Supreme Court of the

United States

The Honorable Stephen J. Field appeared and produced the following Letters Patent & Oath of Office which were read in open Court & Ordered by the Court to be recorded on the Minutes of this Court in the following words viz:

Abraham Lincoln
President of the United States of America

To all Who Shall See these Presents, Greeting
Know Ye: That reposing Special trust and Confidence in the Wisdom, Uprightness and Learning of Stephen J. Field of California, I have Nominated, and by & with the advice & Consent of the Senate, do appoint him to be Associate Justice of the Supreme Court of the United States; and do authorize & empower him to execute & fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to have and to hold the said Office with all the powers privileges and emoluments to the same of right appertaining unto Him, the said Stephen J. Field, during his good behavior

In testimony Whereof I have Caused these Letters to be made

Seal

patent and the Seal of the United States to be hereunto affixed.

Given under my hand, at the City of Washington, the Tenth day of March in the year of our Lord One Thousand eight hundred and Sixty three, and of the Independence of the United States of America the Eighty Seventh.

By the President Abraham Lincoln
William H. Seward, Secretary of State

United States of America
Northern District of California } ss

I Stephen J. Field, do solemnly swear that I will administer justice without respect to persons, & do equal right to the poor & the rich, and that I will faithfully & impartially discharge & perform all the duties incumbent on me as Associate Justice of the Supreme Court of the United States, according to the best of my abilities & understanding, agreeably to the

Constitution and Laws of the United States. So help me God.

Stephen J. Field

Subscribed and sworn to before
me this twentieth day of May A.D. 1863.

W. W. Cope
Chief Justice of the
Supreme Court of the State of California.

United States of America
Southern District of California } ss

I. Stephen J. Field

do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever, under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority power or constitution within the United States, hostile or inimical thereto. And I do further swear that to

the best of my knowledge and ability, I will support & defend the Constitution of the United States, against all enemies foreign and domestic; that I will bear true faith and allegiance to the same, that I take this obligation freely, without any mental reservation of purpose of evasion, & that I will well & faithfully discharge the duties of the Office, on which I am about to enter, So help me God.

Stephen J. Field

Subscribed & Sworn to before
me this twentieth day of May A.D. 1863

W. H. Cope
Chief Justice of
the Supreme Court of the
State of California

Monday 7th December 1863. Continued

Mr Chief Justice Taney announced to the Bar that the Court would commence the call of the docket to morrow in the following order.

No 9. Bayne vs Morris

No 27. Meigs et al vs The Steamer Northerner

No 28. Meigs et al vs The Pacific Mail Steamship Co.

No 56. Miles vs Caldwell

No 68. Reuch vs Deery

Proclamation being made the Court is adjourned until tomorrow morning at 10 oclock.

Tuesday 8th December 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	James M. Wayne	
	John Catron	
	Samuel Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Samuel F. Miller	
	David Davis	
	Stephen J. Field	

Ward H. Lamon Esquire. Marshal

Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Bates, it is ordered that Joseph L. Stephens Esq of Boonville, Missouri, be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

On Motion first made to the Court in this behalf by Mr D. L. Sims, it is ordered that Thomas P. Ives, Esquire, of New York City, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly. &c.

On Motion first made to the Court in this behalf by Mr I. H. Wells, it is ordered that Walter H. Tompkins Esquire of San Francisco, State of California, be admitted to practice as an Attorney an Counsellor of this Court and he was sworn accordingly.

Charles Bayne
vs Pltff in Error
Robert F. Morriss

This cause was argued by Mr Read of Counsel for the plaintiff in Error and Submitted on a printed argument by Mr Wales of Counsel for the defendant in Error.

	G. A. Meigs et ac	These cases were Sub
27	vs Appts	-mitted to the consid-
	The Steamer Northerner	-eration of the Court
	&	on the records and
	G. A. Meigs et ac	printed arguments
28	vs Appts	by Mr Hewit of
	The Pacific Steamship Co.	Counsel for the
		Appellants.

	Thomas J. Miles	Upon motion of Mr
56	vs Appt	Miles the appellant
	William D. Caldwell	It is now here order
		-ed by this Court

that this cause be and the same is hereby continued to the next term.

	The United States	Ordered by the
2	vs	Court that this cause
	George N. Stewart	be and the same is
		Hereby continued

to the next term.

3	The U. States vs Appls Charles Le Baron	Ordered by the Court that this cause be and the same is hereby con-tinued to the next term.
4	The United States vs Appls James Mc. Masters et al	Ordered by the Court that this cause be and the same is hereby contin-ued to the next term.
5	William Walker et al vs Plffs in Er The United States	Ordered by the Court that this cause be and the same is hereby con-tinued to the next term.
6	David M. Hughes vs Appl The United States	Ordered by the Court that this cause be and the same is hereby con-tinued to the next term.
7	Maria J. Cavasos vs Plff in Er Manuel Trevino et al	Ordered by the Court that this cause be and the same is hereby contin-ued to the next term.

	Thomas Pearce	Ordered by the Court
8	vs Pltff in Er	that this cause be and
	Randall G. Higgins	the same is hereby
		continued to the next term.
	Jasper Strong	Ordered by the Court
10	vs Pltff in Er	that this cause be
	The United States	and the same is hereby
		continued to the next term.
	Thomas A. Newell	Ordered by the
11	vs Appls	Court that this
	Alexander Morton	cause be and
		the same is hereby
	continued to the next term.	
	Thomas A Newell	Ordered by the Court
12	vs Appls	that this cause be
	Richard Nixon	the same is hereby
		continued to the next term
	The Southern Steamship Co.	Ordered by the Court
13	vs Pltffs in Er	that this cause be
	The Master & Wardens of	the same is hereby continu-
	the Port of New Orleans	ed to the next term.

Joseph Osterman dec'd
14 vs Appls
Harvey Baldwin use &c

Ordered by the Court that this cause be & the same is hereby continued to the next term.

Milton Sinn
15 vs Pltffs Error
William Robinson, use &c

Ordered by the Court that this cause be and the same is hereby continued to the next term.

John L. Broom
16 vs Pltffs Er
Henry Sheldon's adm'r

Ordered by the Court that this cause be & the same is hereby continued to the next term.

Anson Bangs & Co
17 vs Appls
The Blue Ridge R. R. Co

Ordered by the Court that this cause be & the same is hereby continued to the next term

	Henry Sturdy et al	Ordered by the Court
18	vs	that this cause be &
	B. I. Jacaway et al	the same is hereby con
		tinued to the next term.
	Henry M. Rector	Ordered by the Court
19	vs Pltff in Error	that this cause be &
	Chester Ashley's Exrs et al	the same is hereby
		continued to the next term.
	John K. Milhoce	Ordered by the Court
20	vs Pltff in Er	that this cause be &
	The Lessee of Vicente de	the same is hereby contin
	St Maxent et al	ued to the next term.
	Eason M. Rutherford	Ordered by the Court
21	vs Appl	that this cause be and
	J. & R. Geddes et al	the same is hereby contin
		ued to the next term.
	Simon Mussina	Ordered by the Court
22	vs Pltff in Er	that this cause be &
	Maria I. Cavazos et al	the same is hereby
		continued to the next term.

23	W.G. Robinson vs Plff in Error Lewis Aldridge	Ordered by the Court that this cause be and the same is hereby continued to the next term
24	Jacob Thompson et al vs Plffs in Error D.W. Bowman	Ordered by the Court that this cause & the same is hereby continued to the next term.
25	William Christy vs Plff in Error W.W. Pidgeon's adm[r]	Ordered by the Court that this cause be & the same is hereby continued to the next term.
26	William M. Cook et al vs Plffs in Error A.J. Burnley et al	Ordered by the Court that this cause be & the same is hereby continued to the next term.
29	Emanuel Myers vs Plff in Er The Commonwealth of Pennsylvania	Upon the written application of Mr I. Meredith of Counsel for the plaintiff in Error & of Mr W.M. Meredith of Counsel

for the defendant in error - It is now here ordered by this Court that this cause be and the same is hereby continued to the next term.

	Am Cox Sanford	Ordered by the Court that
30	vs Pltff in Er	this cause be and the same
	A. L. Hunley	is hereby continued to the
		next term.

	John Overton et al	Ordered by the Court
31	vs Pltffs in Error	that this cause be & the
	G. W. & E. Chesh	same is hereby continued
		to the next term.

	Edward McGehee	Ordered by the Court that
32	vs Pltff in Error	this cause be and the same
	M. R. P. Mathis &c	is hereby continued to the
		next term.

	John I. Jackson et al	Ordered by the Court that
33	vs Pltffs in Er	this cause be and the same
	M. R. P. Mathis &c	is hereby continued to the
		next term.

	James J. Montgomery	Ordered by the Court
34	vs Pltff in Error	that this cause be and the
	M. R. P. Mathis &c	same is hereby continued
		to the next term.
	William E. Bowling	Ordered by the Court
35	vs Pltff in Er	that this cause be and
	M. R. P. Mathis &c	the same is hereby contin
		-ued to the next term.
	James H. Wilson	Ordered by the Court
36	vs Pltff in Er	that this cause be &
	M. R. P. Mathis &c	the same is hereby con
		-tinued to the next term.
	Charles L. McDermott	Ordered by the Court
37	vs Pltff in Er	that this cause be and
	M. R. P. Mathis &c	the same is hereby con
		-tinued to the next term.
	Charles McDermott	Ordered by the Court
38	vs Pltff in Er	that this cause be and
	M. R. P. Mathis &c	the same is hereby contin
		-ued to the next term.

Tuesday December 8th 1863. Continued

	Samuel Wilson	Ordered by the Court
39	vs Pltff in Er	that this cause be and
	Thomas Ward et al	the same is hereby con-
		tinued to the next term.
	John Johns et al	Ordered by the Court
40	vs Appls	that this cause be and
	The Union Bank of Florida	the same is hereby contin-
		ued to the next term.
	W. S. Lindsay & Co	Ordered by the Court
41	vs Pltff in Er	that this cause be and
	The New Orleans, Opelousas	the same is hereby con-
	& Great Western R. R. Co.	tinued to the next term.
	The United States	Ordered by the Court
42	vs Pltffs in Er	that this cause be and
	Jeremiah T. Dashiell et al	the same is hereby contin-
		ued to the next term.
	The United States	Ordered by the Court
43	vs Appls	that this cause be and
	H. Illesbury's Adm?	the same is hereby contin
		ued to the next term.

44	P. Ann Youngue vs vs Pltff in Er F. Gilbeau	Ordered by the Court that this cause be and the Same is hereby Continued to the next term.
45	M. Clements - appl vs James Nicholson et al	Ordered by the Court that this cause be & the Same is hereby Continued to the next term -
46	Thomas C. Moore. appl vs M. Clements et al	Ordered by the Court that this cause be & the Same is hereby Continued to the next term -
47	Joseph Andrecos Pltff in Er vs Charles A. Heusler	Ordered by the Court that this cause be and the Same is hereby Continued to the next term -
48	Thomas M. League vs Pltff in Er L. D. Atchison et al	Ordered by the Court that this cause be & the Same is hereby Continued to the next term.

Tuesday December 8th 1863 Continued

	William H. Gaines et al	Ordered by the Court
49	vs Appls	that this cause be & the
	Jacob Thompson	Same is hereby continued
		to the next term.
	Richard Christmas	Ordered by the Court that
50	vs Pff in Er	this cause be and the Same
	John W. Russell &c	is hereby continued to the
		next term.
	John Dennistown et al	Ordered by the Court that
51	vs Appls	this cause be and the Same
	James Paynes Adm.r et al	is hereby continued to the
		next term.
	James Brown	Ordered by the Court that
52	vs Appl	this cause be and the Same
	E. P. Bass	is hereby continued to the
		next term.
	James Brown	Ordered by the Court that
53	vs Appl	this cause be and the Same
	William H. Johnson	is hereby continued to the
		next term.

	A. J. Williamson	Ordered by the Court
54	vs Pltff in Error	that this cause be & the
	Rice Dulin	same is hereby continued
		to the next term -

	James H. Simpson et al	Ordered by the Court
55	vs Pltffs in Er	that this cause be & the
	A. Dall et al	same is hereby continued
		to the next term.

	Robert F. Morriss	In Error to the Circuit
57	vs Pltff in Er	Court of the United
	William S. Appleton	States for the District of
		Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and it appearing to the Court here that this is the second term at which this cause has been called for argument & that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the costs of the plaintiff in error pursuant to the 19th rule of this Court. Whereupon it is now here ordered & adjudged by this Court that this cause be and

the same to hereby dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court in order that the same may be proceeded with according to law and Justice

for Mr Ch: Jus: Taney

	William H. Hall	Ordered by the Court
58	vs Pltff in Er	that this cause be and
	The Mobile & Ohio R.R.Co	the same is hereby continued to the next term.
	Samuel Locke	Ordered by the Court
59	vs Pltff in Er	that this cause be and
	The City of New Orleans	the same is hereby continued to the next term.
	Thomas S. Davidson	Ordered by the Court
60	vs Pltff in Er	that this cause be and
	W. L. Lanier &c	the same is hereby continued to the next term.
	Thomas S. Davidson	Ordered by the Court that this
61	vs Pltff in Er	cause be & the same is hereby continued to the next term.
	W. L. Lanier &c	

	Robert A. McTyer	Ordered by the Court
62	vs Pff in Er	that this cause be & the same
	Thomas A. McDowells	is hereby continued to
	adm.r et al	the next term.
	Azelia Sanders, widow &c	Ordered by the Court
63	vs Pff in Er	that this cause be & the same
	R. D. Shepherd	is hereby continued to the
		next term.
	Mary A. Nailor's Exr.s	Ordered by the Court
64	vs Pff in Er	that this cause be and
	B. S. Duncan	the same is hereby contin
		-ued to the next term.
	Thomas A. Dwyer	Ordered by the Court
65	vs Pff in Er	that this cause be &
	William A. Duncan	the same is hereby con
		tinued to the next term
	Louis Desoby - Pff in Er	Ordered by the Court
66	vs	that this cause be & the
	I Thos Nicholson	same is hereby continued
		to the next term.

Tuesday December 8th 1863. Continued

M. C. Mordecai et al		Ordered by the Court that
67	vs	Appl	this cause be and the same
W. T. Lindsay owners &c			is hereby Continued to the
			Next Term

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday December 9th 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robt C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Wm H. Lemon Esquire Marshal
David Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. M. Carlisle, it is ordered that A. S. Merriman Esquire of Washington City District of Columbia and Eli P. Norton Esquire of New York City, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly

On motion first made to the court in this behalf by the Hon: J. S. Black it is ordered that J. B. Norman Esquire of the state of California be admitted to practice as Attorneys and Counsellors of this court and they were sworn accordingly.

On motion first made to the court in this behalf by Mr W. M. Evarts, it is ordered that Frances Kernan Esquire, of the State of New York be admitted to practice as an Attorney & Counsellor of this court and he was sworn accordingly.

Andrew Bruch. Plff in Er
vs
Eliza C. Dezeng's Jessee

In Error to the Circuit Court of the United States for the District of Maryland.

68

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland. and it appearing to the court here that this is the second term at which this cause has been

called for argument, and that neither party is now prepared to argue the same it is considered by the Court that this cause should be dismissed at the costs of the plaintiff in error, pursuant to the 19th Rule of this Court. Whereupon it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs, and that this cause be & the same is hereby remanded to the said Circuit Court in order that the same may be proceeded with according to law and justice.

Pr Mr Chi. Jus: Taney

69 Millon I. Sutkins et al vs Appts / Thomas A. Bird et al — Ordered by the Court that this cause be & the same is hereby continued to the next term.

70 Alfred Ingraham &c vs Plffs Es / Thomas J. McIntyre's heirs et al — Ordered by the Court that this cause be & the same is hereby continued to the next term.

71

This Ship "Cowper" vs Peffer, Charles H. Harrison — In error to the County Court of the County of Solano, State of California.

This cause came on to be heard on the transcript of the record from the County Court of the County of Solano, State of California, and it appearing to the Court here that this is the second term at which this cause has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the costs of the plaintiff in error pursuant to the 19th rule of this Court, Whereupon it is now here ordered & adjudged by this Court that this cause be and the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the said County Court in order that the same may be proceeded with according to law and justice.

per Mr Ch: Jus: Taney

72 Lowell J. Hardy & ux vs Plffs in Er Thomas P. Johnson

This cause was argued by Mr Tram of Counsel for the plaintiffs in error and submitted on a printed argument by Mr Hepburn & Mr Hill of Counsel for the defendant in error.

73 John Doe Houghton et al vs Plffs in Er Lucy R. Jones

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Carlisle of Counsel for the plaintiffs in Error and by Mr Hepburn & Mr Hill of Counsel for the defendant in Error.

74 Robert T. Harvey et al vs Plffs in Error Edward G. Tyler et al

Ordered by the Court that this cause be and the same is hereby Continued to the next term _

75

The Proprietors of Bridges over the Passaic River at Hackensack — Plffs in Er

vs

The Hoboken Land and Improvement Company

In Error to the Court of Errors and Appeals of the State of New Jersey —

This cause came on to be heard on the transcript of the record from the Court of Errors and Appeals of the State of New Jersey, and it appearing to the Court here that this is the second term at which this cause has been called for argument and that neither party is now prepared to argue the same it is considered by the Court that this cause should be dismissed at the costs of the plaintiffs in error pursuant to the 9th rule of this Court, Whereupon it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the said Court of Errors

and appeals in order that the same may be proceeded with according to law and justice

per Mr Ch: Jus: Taney

76 The Orient Mutual Insurance Company vs Pefts in Er John S. Wright, use &c

77 & The Sun Mutual Ins. Co vs Pefts in Er John S. Wright, use &c

On the application of the Counsel. It is now here ordered by the Court that the Counsel for the plaintiffs in Error have three hours in opening argument and two hours in the conclusion and it is further ordered that an additional hour be granted the Counsel for the defendant in Error in the argument of this cause.

76 The Oriental Mutual Insurance Company vs Pltffs in Er
John S. Wright use &c
&
77 The Sun Mutual Insurance Company vs Pltffs in Er
John S. Wright, use &c

The argument of these causes was commenced by Mr Hamilton of Counsel for the plaintiff in Error

Proclamation being made the Court is adjourned until to morrow morning at Eleven Oclock

Thursday December 10th 1863

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	chief Justice
	James M. Wayne	
	John Catron	
	Samuel Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Samuel F. Miller	
	David Davis &	
	Stephen J. Field	

Ward H. Lamon Esquire Marshal
Maurice Wesley Middleton, Clerk

Proclamation being made the Court is opened

Thursday December 10th 1863. Continued

76 The Orient Mutual Insurance Company vs Pltff in Er John D. Wright, use &c

&

77 The Sun Mutual Insurance Company vs Pltff in Er John D. Wright use &c

The argument of these causes was continued by Mr Coats of Counsel for the plaintiff in error and by Mr Brent of Counsel for the defendant in Error.

Proclamation being made the Court is adjourned until to morrow Morning at eleven o'clock

Friday December 11th 1863.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney — Chief Justice
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr J. M. Carlisle it is ordered that Samuel Currie Esquire of Providence, State of Rhode Island be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

315 James A. Roosevelt
vs Plff in Er
Lewis H. Meyer

On the motion of Mr Rorker of Counsel for the defendant in Error - It is now here ordered by the Court that the motion filed in this cause this day, to dismiss this writ of error be and the same is hereby set down for argument on next Friday the 18th instant.

76 The Orient Mutual Insurance Company
vs Plff in Er
John S. Wright, use &c

&

77 The Sun Mutual Insurance Company
vs Plff in Er
John S. Wright, use &c.

The Argument of these causes was Continued by Mr Brent and Mr May of Counsel for the defendant in Error.

Proclamation being made the Court is adjourned until Monday Morning at Eleven O'Clock

Monday December 14th 1863.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justice
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H Lamon Esquire, Marshal
Daniel Wesley Middleton, Clerk

On Motion first made to the Court in this behalf by Mr E. B. Washburn, it is ordered that Elijah M. Haines Esquire of Chicago State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr T. D. Lincoln, it is ordered that Myron H. Fitch and Edgar M. Johnson Esquires of Cincinnati, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr A. C. Henderson it is ordered that Thomas J. Davis Esquire, of Syracuse State of New York, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

180

James Adams, Executor of Thomas Lane, deceased vs Appellant
Edmund Lane, Rogers administrator de bonis non of Eliza P. Custis, deceased

Appeal from the Circuit Court of the United States for the District of Columbia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and on the motion of Mr May of Counsel for the Appellant and with the consent of Mr Campbell of Counsel for the Appellee, stating that the matters in controversy had been agreed and settled between the parties. It is now here considered ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed each party paying his own costs, and that this mandate be & the same is hereby remanded to the Supreme Court of the District of Columbia

per Mr Justice Wayne

Robert Bragg &c
vs
Michael A. Nicholas

327

In Error to the Circuit Court of the United States for the District of California

Mr Howe of Counsel for the defendant in error having filed a certificate, together with a transcript of the record of this cause duly certified by the Clerk under the seal of the

Circuit Court of the United States for the Districts of California, and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error – Now here moved the Court in pursuance of the 9th rule of this Court to have this writ of error docketed and dismissed – On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error to the Circuit Court of the United States for the Districts of California be and the same is hereby docket-ed and dismissed with costs, and that this cause be and the same is hereby remanded to the Circuit Court of the United States for the Northern District of California for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding

Mr Justice Wayne

Maria Ignacia Bale de Pearoy & Benjamin S. Brooks, Intervenors vs Appts The United States.

Dec: Term 1862

On motion of Mr Black it is now here ordered by the Court that the motion this day filed by him to annul the decree rendered by this Court at the last term in this cause and to revoke the writ of procedendo issued in the case be and the same is hereby set down for argument next Friday the 18th instant.

76 The Orient Mutual Insurance Company vs Peffin Er John S. Wright, Usee

77 The Sun Mutual Insurance Company vs Peffin Er John S. Wright, Usee

The argument of these causes was concluded by Mr Evarts of Counsel for the plaintiff in Error.

78 J. Edgar Thompson et al vs The Iowa Central Air Line R. R. Co: et al

The argument of this cause was commenced by Platt Smith of Counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday December 15th 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Wm S. Lamon Esquire, Marshal
Samuel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr W. Stewart, it is ordered that Wm Bakewell Esquire, of Pittsburgh, State State of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr O. H. Browning, it is ordered that E. W. Hazard Esquire of Galesburg State of Illinois be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Reverdy Johnson, it is ordered that Martin V. B. Wilcoxson Esquire of New York City, be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly

On motion first made to the Court in this behalf by Mr Attorney General Bates it is ordered that D. F. Within Esquire of Nashville, State of Tennessee be, admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

J. Edgar Thompson and Gilead A. Smith, Trustees
78 vs Appellants
The Iowa Central Air Line Railroad Company, and The Cedar Rapids and Missouri River R.R. Co.

Appeal from the District Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Iowa, and it appearing to the Court that the decree in this cause should be affirmed. It is therefore considered, ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs. And it is further ordered by this Court that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of Iowa.

per Mr Justice Wayne

Tuesday December 15th 1865. (Continued)

79 Gelpeke Newton & Pickett vs Plffs in Er The City of Dubuque

This cause was Submitted to the Consideration of the Court on the record and printed arguments by Mr Platt Smith and Mr Allison of Counsel for the plaintiff in Error and by Mr Bissell of Counsel for the defendants in Error

80 Herman Gelpeke et al vs Plffs in Er The City of Dubuque
&
81 Herman Gelpeke et al vs Plff in Er The City of Dubuque

On motion of Mr Bissell of Counsel for the defendant in Error it is Ordered that he be allowed an additional hour in the argument of these cases -

80 Herman Gelpeke et al vs Plffs in Er The City of Dubuque
&
81 Herman Gelpeke et al vs Plffs in Er The City of Dubuque

The argument of the cause was commenced by Mr White of Counsel for the plaintiffs in Error & continued by Mr Bissell of Counsel for the defendant in Error

Proclamation being Made the Court is adjourned
until tomorrow morning at Eleven o'clock

Wednesday. December 16th 1863.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis &
Stephen J. Field

Ward H. Lamon Esquire, Marshal
David Wesley Middleton Clerk

Proclamation being made the Court is opened.

80 Herman Galpeke & al vs Pltffs in Er
The City of Dubuque
&
Herman Galpeke & al
81 vs
The City of Dubuque

The argument of these causes was continued by Mr Bissell & Mr Mason of Counsel for the defendants in Error & concluded by Mr Platt Smith of Counsel for the plaintiff in Error.

82 George E. Von Hostrup et al vs Plff in Error
The City of Madison

The argument of this cause was commenced by Mr Porter of Counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Thursday, December 17th 1865

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esqre, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened

On Motion first made to the Court in that behalf by Mr C. E. Sherman, it is ordered that G. E. Cole Esqre of the District Court, State of Minnesota be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr N. J. Emmons, it is ordered that Charles A. Eldredge Esquire of Fond du Lac, State of Wisconsin, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Friday December 18th 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr J. M. Carlisle, it is ordered that Cornelius Cole Esquire, of Santa Cruz State of California be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly -

On Motion first made to the Court in this behalf by Mr Beverly Johnson, it is ordered that J. G. Baldwin Esquire, of San Francisco, State of California, be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. S. Black is is ordered that R. A. Wilson Esquire of Washington City, District of Columbia be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr O. Mason, it is ordered that S. H. Boyd Esquire, of Springfield, State of Missouri be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

Friday December 18th 1863. Continued

James S. Roosevelt
315 vs Pfff in Er
Lewis N. Meyer

The argument of the motion of Mr Rocker to dismiss this cause was commenced by him in support of the same, continued by Mr Henry in opposition thereto & concluded by Mr Rocker in favor of the motion. Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

Lessee of George Pomeroy &al
133 vs pfff in Error
The State Bank of Indiana

The argument of the motion of Mr Chase to dismiss this cause was commenced by him in support of the same, and continued by Mr Carlisle in opposition thereto and concluded by Mr Chase in favor of the motion - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The Proprietors of Bridges over Rivers Passaic & Hackensack vs Plffs in Error
75
The New York Land and Improvement Company

Mr Jabuskie of Counsel for the plaintiffs in Error, having filed a Motion to reinstate this cause on the docket, now here moves the Court to rescind and annul the judgment Entered in this cause on a prior day of the present term dismissing this writ of error with costs. On Consideration whereof it is now here ordered and adjudged by this Court that the judgment entered in this cause on the 9th day of December 1863, be and the same is hereby rescinded and annulled and that this cause be and the same is hereby reinstated on the Docket.

The Proprietors of Bridges over Rivers Passaic & Hackensack vs Plffs in Error
75
The New York Land and Improvement Company

Mr Jabuskie moved the Court to fix a particular day for the argument of this cause whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to Consider

Charles Fossett. Appl
111 vs
The United States

Mr Humphreys of counsel for the intervenors in this cause moves the Court for an extension of thirty days from the time this case shall be reached in the regular call. On consideration whereof it is now here ordered by the Court that said Motion be and the same is hereby granted.

Charles Fossett.
111 vs Appl
The United States

Mr Johnson of Counsel for the appellant moved the Court for leave to strike out his appearance in this cause. On consideration whereof it is now here ordered by the Court that said motion be and the same is hereby granted

Ex parte: In the matter of the Dubuque and Pacific Railroad Co.
5 Orig vs Petitioner
Edwin C Litchfield

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr P. Smith of Counsel for the Petitioner and by Mr Mason of counsel for the respondents —

George W. Cross.
85 vs Appl
Maria Louisa Andrea
del Valle et al
&
Francis M. Cross
86 vs Appl
Maria Louisa
Andrea del Valle et al

Mr Curry of Counsel for the appellant having filed a Suggestion of the death of Thomas Lloyd Halsey Creighton one of the appellants in these causes, and of the appearance of John Wilson Smith, administrator of the last will & testament of the said T. S. H. Creighton, moved the Court for an order substituting the said administrator and making him one of the appellants in the place of T. S. H. Creighton, deceased. On consideration whereof it is now here ordered by the Court that the appearance of said John Wilson Smith administrator of the last will & testament of the said T. S. H. Creighton, deceased as aforesaid be and the same is hereby entered as one of the Co. appellants in these causes with right to prosecute these appeals.

Friday December 18th 1863. Continued

82 George E Dow - Hosbrook et al Pltffs in Error vs The City of Madison

The Argument of this cause was continued by Mr Johnson of Counsel for the defendant in Error

Proclamation being made the Court is adjourned until Monday Morning at eleven O'clock

Monday December 21st 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esquire, Marshal
Junius Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr H. W. Davis, it is ordered that Henry Stockbridge Esquire of Baltimore State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On Motion first made to the Court in this behalf by Mr I. M. Carlisle, it is ordered that Robert C. Gregory Esquire of Lafayette State of Indiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Charles Bayne. In Error to the Circuit
vs Court of the United
9 Robert F. Morris States for the District
of Maryland.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel - On Consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Wm Jus: Davis

27

G. A. Meigs & William C. Talbot. appts
vs
The Steamboat Northerner her boats, tackle &c. The Pacific Mail Steamship Co: Claimts

Appeal from the Supreme Court of Washington Territory.

This cause came on to be heard on the Transcript of the Record from the Supreme Court of the Territory of Washington and was argued by Counsel. On Consideration Whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby reversed with costs, and that this cause be & the same is hereby remanded to the said Supreme Court with directions to enter a decree in favor of the Libellants for the amount of the damage done to the "Resolute"

per Mr Jus: Clifford.

G. A. Meigs & William C. Talbot. Claimants of the Steamtug "Resolute" vs The Pacific Mail Steamship Company

28

Appeal from the Supreme Court of Washington Territory.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Washington & was argued by Counsel - On Consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be - and the same is hereby remanded to the said Supreme Court with directions to dismiss the libel in the cross suit.

per Mr Jus: Clifford.

James I. Roosevelt vs Plff in Error Lewis H. Meyer

315

In Error to the Supreme Court of the State of New York

This Cause came on to be heard on the transcript of the Record from the Supreme Court of the State of New York and was argued by Counsel. On Consideration whereof it is now here ordered & adjudged by this Court that this cause be & the same is hereby dismissed for the want of jurisdiction

per Mr Jus: Wayne

Wm Wisle of George Pomeroy et al
vs
The State Bank of Indiana

133

On Consideration of the Motion filed by Mr Chase at a prior term of this Court, to wit: on the fifth day of February 1863, to dismiss this cause And of the arguments of Counsel thereupon had as well in support of as against the said Motion, it is now here ordered by the Court that the said motion be and the same is hereby overruled.

The Proprietors of the Bridges over Rivers Passaic & Hackensack
vs
Wm Alfs in Er
The Hoboken Land Company

75

On Consideration of the Motion made by Mr Jabez Fitch on the 18th inst. it is now

Now ordered by this Court that this cause be and the same is here set down for argument next after the number ninety nine -

82 George E. Von Hostrup et al vs Plffs in Er The City of Madison

The argument of this cause was concluded by Mr Rocker of Counsel for the plaintiff in error.

83 Charles T. Eames vs Plffs in Er Benjamin D. Godfrey

The argument of this cause was commenced by Mr Brooks of Counsel for the plaintiff in error and continued by Mr Browne of Counsel for the defendant in Error & concluded by Mr Brooks of Counsel for the plaintiff in Error

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Tuesday December 22d 1863

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Wm A. M. Saunders Esqre. Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened

84 Chester L. Hutchins et al vs Charles F. King

The argument of this cause was commenced by Mr Hutchins of Counsel for the plaintiff in Error, continued by Mr Wells of Counsel for the defendant in error and concluded by Mr Hutchins of Counsel for the plaintiff in Error.

Tuesday December 22d 1863. Continued

Proclamation being made the Court is adjourned until tomorrow morning at Eleven oclock.

Wednesday December 23d 1863

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Ward H. Lamon Esquire Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened

4-Cy. The State of Missouri
vs
The State of Kentucky

On motion of Mr Boyd of Counsel for the complainant it is ordered by the Court that this cause be and the same is hereby continued to the next term.

Wednesday December 23d 1863. Continued

George W. Cross
85 vs Appt
Maria L Adel Valle et al
&
Frances M. Cross
86 vs
Maria L Adel Valle et al

appellants

The argument of these cases was commenced by Mr Curtis of Counsel for the appellant, and continued by Mr Fuches of Counsel for the appellee and concluded by Mr Curtis for the

James W. Baldwin
87 vs Pltff in Er
Oscar C. Hale
&
James W. Baldwin
88 vs Pltff in Error
The President Directors &
Co: of Bank of Newbury

The argument of these cases was commenced by Mr Brooks of Counsel for the plaintiff in Error, continued by Mr Hutchins of Counsel for the defendant in Error and concluded by Mr Brooks for the plaintiff in Error

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Monday December 28th 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Ward H. Lamon Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened

Lowell J. Hardy and Matilda C. Hardy his wife
vs
Thomas P. Johnson
} Pffs in Error

72

In Error to the Circuit Court of the United States for the District of California

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Cali-

fornia, and was argued by Counsel. On consideration whereof it is now ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and that this cause be and the same is hereby remanded to the Circuit Court of the United States for the Northern District of California

per Mr: Jus: Field

John Mc Naughton & Samuel Hunsaker vs Peffers & Co Lucy R. Jones

73

In error to the Circuit Court of the United States for the District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby affirmed with costs & that this cause be & the same is hereby remanded to the Circuit Court of the United States for the Northern District of California

per Mr Jus: Field.

William H. Markham
in the matter of George
Pomeroy & al
115 vs Appl
George Bridge

Appeal from the
Supreme Court of the
Territory of
Nebraska.

This cause came on to be heard on the
transcript of the record from the Supreme
Court of the Territory of Nebraska and it
appearing to the Court from the Stipula-
tion on file, that the matters in controversy
had been agreed and settled between the
parties. It is thereupon now here, on the
motion of Mr Redick of Counsel for the
appellee, considered, ordered, adjudged and
decreed by this Court that this cause be &
the same is hereby dismissed with Costs
per Mr Justice Wayne

William M. Jones
84 vs Appl
Charles W. Greenhow

The argument of this cause
was commenced by Mr Redick
of Counsel for the appellant
Continued by Mr Woolworth
of Counsel for the appellee & concluded by Mr Carlisle
of Counsel for the appellants.

Samuel Woods. Plff in Er
90 vs
Ralph P Freeman

defendant in Error.

This cause was argued by Mr Merriman of Counsel for the

Anthony Van Dam
91 vs Plff in Er
Noah King & Co

This cause was submitted to the consideration of the Court on the record and printed argument by Mr Carlisle of Counsel for the defendant in Error.

Mr Justice Miller being of Counsel in the Court below did not sit in this Cause

John Hecker et al
92 vs Plff in Er
John Fowler

The argument of this cause was commenced by Mr Norton of Counsel for the plaintiff in Error Continued by Mr Andrews of Counsel for the defendant in Error & concluded by Mr Norton for the plaintiff in Error

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Tuesday December 29th 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esqr. Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Attorney General Bates, it is ordered that William T. Kendall Esquire of Washington City, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Tuesday December 29th 1863 Continued)

93 George Miller et al vs Appts John L. Tiffany

The argument of this cause was commenced by Mr Swift Counsel for the appellants and continued by Mr Combs of Counsel for the appellee

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday December 30th 1863

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Ward H. Lamon Esqure, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened

George Miller et al
vs
John L. Tiffany
} 93 is appt

The argument of this cause was concluded by Mr Gillet of counsel for Appellants.

Wednesday November 30th 1865. Continued

94 Lee & Leavill vs Pfifer & Patrick Watson et al

This cause was argued by Mr William J Hen-dall of counsel for the defendant in error. and submitted on a printed argument by Mr Lee & Mr Fisher of counsel for the plaintiff in error

95 Richard Gregg vs Pfifer & Henry Von Phul

This cause was argued by Mr Ballance of Counsel for the plaintiff in error and submitted to the printed argument of Mr Rood on behalf of the defendant in error

Proclamation being made the court is adjourned until Monday morning at eleven o'clock

Monday January 4th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Ward H. Lamon, Esquire, Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened

76 The Orient Mutual Insurance Company - Plff in Er
vs
John S. Wright, use of Mayrule Wright & Co

In error to the Circuit Court of the United States for the District of Maryland

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the District of Maryland and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs and interest to be paid at the same rate per annum that similar judgments bear in the Courts of the State of Maryland

per Mr. Just. Miller

Dissenting
Mr Just. Swayne
" " Davis

77

The Sun Mutual Insurance Company Plff in Error
vs
John S. Wright use of Maxwell Wright & Co.

In Error to the Circuit Court of the United States for the District of Maryland.

This Cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Maryland

and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Maryland.

per Mr Jus: Miller

Dissenting
Mr Jus: Swayne
" " Davis

Albertus C. Spurr
96 vs Appt
James Hamilton's admr

The argument of this cause was commenced by Mr Bradley of Counsel for the appellants

Anthony Van Dam
91 vs Appee
Wyllys King. Richard Bigelow & Charles E King. Partners as Dam King & Co.

In Error to the District Court of the United States for the District of Iowa —

Monday January 4th 1864. (continued)

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Iowa and was argued by Counsel. On Consideration it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs & damages at the rate of ten per centum per annum, & that this cause be & the same is hereby remanded to the Circuit Court of the United States for the District of Iowa

per Mr Jus: Wayne

(Mr Justice Miller having been of Counsel did not sit in this cause)

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'Clock.

Tuesday January 5th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Wm A. Carroll Esquire — Marshal
Wm Tossey Middleton — Clerk

Proclamation being made the Court is opened.

Ex parte. In the matter of the Dubuque & Pacific Rail Road Company (Original) Petitioner Erwin C. Litchfield

On petition for a mandamus to the District Court of the United States for the District of Iowa -

Tuesday January 5th 1864. Decem 7

On Consideration of the petition filed & motion
made in this cause on a prior day of this term,
to wit, the 18th of December, and of the argu-
ments of Counsel thereupon had as well in
support of as against the same, it is now
ordered & adjudged by this Court that the writ of
[illegible] issuing from & under the seal of
the Judges of the Circuit Court of the United States
for the District of Iowa be set aside, vacated and
annul the order of the District Court of the
United States for the District of Iowa granting
a new trial in this cause, as prayed for in said
petition; and that the judges of the said Circuit
Court be and they are hereby commanded to
enter judgment in said cause in conformity
to the mandate of this Court issued in this
cause.

per Mr Justice Catron

(Mr Justice Miller having been of Counsel
did not sit in this cause)

Tuesday January 5th 1864. Continued

96 Abelus C. Spann vs Appt
James Handlon's adm'r

The argument of the cause was continued by Mr Enlish of Counsel for the appellee and concluded by the Brief of Counsel for the appellant

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Wednesday January 6th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Wm S. H. Lamon Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court opened.

On motion first made to the Court in this behalf by Mr J. P. Bradley it is ordered that Robert Gilchrist Jr. Esquire of Jersey City State of New Jersey, be admitted to practice as Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr A. Thomas Smith it is ordered that William H. Saunderson Esq of Washington District Of Columbia be admitted to practice as Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr R. A. Gillet it is ordered that Horatio Ballard Esquire of Portland State of New York be admitted to practice as Attorney & Counsellor of this Court and he was sworn accordingly.

Charles Forest
his Appt
111 The United States

Mr Reverdy Johnson
in behalf of Mr A. G.
Peachy of Counsel
for the Appellees

moves the Court to dismiss the appeal of Isaac Foster an Intervenor in this case. On Consideration Whereof this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to Consider.

Wednesday January 6th 1864. Continued

97 W. H. D. C. Wright
vs Appl
Joseph Baker's Ex.rs et al

The argument of this cause was commenced by Mr Lowber S. Coy of Counsel for the appellant, and continued by Mr Bradley of Counsel for the Appellee

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock

Thursday January 7th 1864.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robt C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esquire — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened

97 W. H. & C. Wright vs Appt Joseph Baker Exr &c Appellee — The argument of this cause was concluded by Mr Carlisle for the Appellant.

98 The County of Mercer vs Pltff in Error Wm H. J. Hackett — This cause was argued by Mr Stewart of Counsel for the Plaintiff in Error, and Submitted on printed

Thursday January 7th 1864. Continued

argument by Mr Loomis of Counsel for the Defendant in Error

August Seibert
vs Pltff in Er
99
The Mayor, Aldermen & Citizens of Pittsburg

This cause was submitted to the Consideration of the Court on the record and printed argument of Mr Knox of Counsel for the Plaintiff in Error

The Proprietors of Bridge over Rivers Passaic and Hackensack
vs Pltff in Er
75
The Hoboken Land Company

The argument of this cause was commenced by Mr Jabush of Counsel for the Plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock

Friday January 8th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esquire — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened.

Greene C. Bronson et ae
vs Appts
The La Crosse and
Milwaukee R. R. Co: et al

132

The Motion of Mr Carpenter to amend the record in this Cause was set down for argument on Friday next the 15th instant.

A. R. Orchard and Amanda Orchard
341 vs Appts
John Hughes and Eliza Hughes

The argument of the motion to dismiss this cause for the want of jurisdiction was commenced by Mr Redick in favor of the motion and continued by Mr Woodworth in opposition thereto and concluded by Mr Carlisle in support of the motion

Greene C. Bronson
132 vs Appts
The La Crosse and Milwaukee R. R. Co. et al

Mr Carpenter moves the Court to set down for argument his motion for a writ of prohibition in this case on Friday next, the 15th instant. On Consideration whereof this Court not being now here sufficiently advised of/concerning what order to render in the premises took time to consider.

William Y. Brown
312 vs Pltff in Er
W. C. Tarkington et al

The motion of Mr Woodworth to dismiss this cause was set down for argument on Friday the 22d instant.

Friday January 8th 1864. Continued

The Proprietors of the Bridges over Rivers Passaic and Hackensack
vs Plffs in Er
75 The Hoboken Land Company

The argument of this cause was continued by Mr Gilchrist and Mr J. P. Bradley of Counsel for the defendant in Error

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock

Monday January 11th 1847.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened

Chester C. Hutchins
& Andrew C. Woods
vs Writ of Error
Charles F. King

In Error to the Circuit Court of the United States for the District of New Hampshire.

84

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the

District of New Hampshire and was argued by Counsel. On Consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs, & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New Hampshire

per Mr Jus: Field

Samuel Woods
vs Pltff in Er
go
Ralph P. Freeman

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On Consideration Whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this Cause be & the same is hereby affirmed with costs

per Mr Jus: Davis

Monday January 11th 1864

Richard Gregg
95 vs Pfeffer
Henry Von Phul

In error to the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr Jus: Davis

George Miller &
Martha Miller, his wife
93 vs Appellants
John L. Tiffany

Appeal from the Circuit Court of the United States for the District of Indiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District

of Indiana, and was argued by Counsel On consideration Whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest to be paid, at the same rate per annum that similar decrees bear in the Courts of the State of Indiana.

Pr Mr Jus: Swayne

Herman Gelpcke
Jno: W. Kentgen
& Adolphus Reichell,
composing the firm of
Gelpcke, Kentgen & Reichell
vs Pltffs in Er
The City of Dubuque

80

In Error to the District Court of the United States for the District of Iowa

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Iowa and was argued by Counsel. On consideration Whereof it is now here ordered and adjudged by this Court that the judgment of the said

District Court in this cause be and the same is hereby reversed with costs. and that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of Iowa for further proceeding to be had therein in conformity to the opinion of this Court.

Pr Mr. Jus: Swayne

dissenting
Mr Jus: Miller

Herman Gelpeke. Fred. W. Reutgen and Adolphus Reichelt, composing the firm of Gelpeke, Reutgen and Reichelt. Pltffs in Error

vs

The City of Dubuque Deft in Error

In Error to the District Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Iowa and was argued by Counsel. On Consideration whereof it is now here ordered & adjudged

by this Court that the judgment of the said District Court in this cause be and the same is hereby reversed with costs. And that this cause be & the same is hereby remanded to the Circuit Court of the United States for the District of Iowa for further proceedings to be had therein in conformity to the opinion of this Court

pr Mr Jus: Swayne

Dissenting

Mr Jus: Miller

Herman Gelpcke. Fred W. Kentgen and Adolphus, Reichert, Composing the firm of Gelpcke, Kentgen & Reichert vs The City of Dubuque

79

In Error to the District Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Iowa & was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be & the same is hereby reversed

with costs. And that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of Iowa for further proceedings to be had therein in conformity to the opinion of this Court

pr Mr Jus: Swayne

Dissenting
Mr Jus: Miller

James W. Baldwin
vs
Oscar L. Hale

87 In Error to the Circuit Court of the United States for the District of Massachusetts

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs, & interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts

pr: Mr Jus: Clifford

	James W. Baldwin	In Error to the Circuit
88	vs Pltff in Er	Court of the United
	The President, Directors	States for the District
	and Company of the	of Massachusetts
	Bank of Newbug	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the Circuit Court in this cause be and the same is hereby affirmed with costs, and interest until until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts

per Mr Jus: Clifford.

	George W. Cross	Appeal from the
85	vs Comp.t Appellant	Circuit Court of
	Maria Louisa Audre	the United States
	del Valle et al	for the District
		of Rhode Island

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr Jus: Grier

Frances M. Cross et al
vs Compls & appels
Maria Louisa Andrea
del Valle et al

Appeal from the Circuit Court of the United States for the District of Rhode Island.

36

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island & was argued by counsel. On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr Jus: Grier

George E. Van Horsbrup
William Van Kraus
Bendsseleben & Frederick
A. Dunigan & Piffin Er
vs
The City of Madison

In Error to the Circuit Court of the United States for the District of Indiana

82

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed to the said Circuit Court with directions to enter judgment overruling the defendants demurrers, and sustaining the plaintiffs demurrers, and proceed to ascertain the damages of the plaintiffs and when ascertained to enter judgment for the same with execution

per Mr Jas: Nelson

341 A. R. Orchard et al vs Appts & Thos Hughes et al. On consideration of the motion made by Mr Redick on a prior day of the present term, to wit Friday the 8th inst. and the arguments of Counsel thereupon had, as well in support of, as against said motion; it is now here ordered by the Court that the said motion be, and the same is hereby overruled and that this cause be, and the same is set down for argument with Number 109.

133 Greene C. Bronson et al vs Appts The La Crosse and Milwaukee R. R. Co. et al It is ordered that the motion of the Counsel for a writ of prohibition be set down for argument on Friday next the 18th instant.

The Proprietors of Bridges over the Rivers Passaic and Hackensack. Pffs in Er
vs
The Hoboken Land &c:

75

The argument of this cause was continued by Mr I. P. Bradley of Counsel for the defendants in error.

I Shu Steeker et al
vs Pffs in Er
I Shu Fowler

92

Upon the argument of this writ of error the Counsel on both sides having admitted that the record is defective and the Court finding that the defect is material. It is now here ordered by this Court that a certified copy of the transcript of the record be remanded to the Court below, with directions that the plaintiff in error apply to that Court, for such amendment of the record as may be fit & proper in the premises

per Mr Justice Wayne

The Wheeler and Wilson Manufacturing Company. Appls
vs
George H. Corliss

160

The Court in conference took into consideration the letters referred to & by the Chief Justice, from Mr Curtis, Mr Houghton and Mr Thruston of Counsel in the cause and instructed me to direct Mr Middleton, Clerk, to write to these gentlemen respectively, that the Court had ordered an ruley to be made that it considered the case as called and that the letters should be filed with the record

Pr Mr Jus: Wayne
Senior Associate Justice
Sup: Court

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday January 12th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	James M. Wayne	
	John Catron	
	Samuel Nelson	Associate
	Robert C. Grier	Justices
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	
	David Davis	
	Stephen J. Field	
	Ward H. Lamon Esquire	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened

The Proprietors of Bridges over Rivers Passaic and Hackensack

vs Pltffs in Er

75 The Hoboken Land Company

The argument of this cause was concluded by Mr Jackson of counsel for the Plaintiffs in Error

Tuesday January 12th 1864. Continued.

100 William M. Pickardson vs Plff. The County of Saurences — This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Knox of Counsel for the Plaintiff & of Mr McComb & Mr Taylor of Counsel for the defendant

101 Edward L. Baker vs Plff in Er Sterling &c — This cause was submitted to the consideration of the Court on the record & printed arguments by Mr Gantt of Counsel for the Plff in error, and by Mr Shum of Counsel for the Deft in Error.

102 The Bay State Steamboat Co: vs Appts Simon Banks — The argument of this cause was commenced by Mr Gillet of Counsel for the appellant.

Proclamation being made, the Court is adjourned until to-morrow morning at Eleven o'clock

Wednesday January 13th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson — Associate
Robert C. Grier — Justices
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Gillet, it is ordered that John M. Gardner Esq of the City of Washington D. C. be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Wednesday January 13th 1864. Continued.)

On Motion first made to the Court in this behalf by the Hon: Mr Hendrick it is ordered that Stephen Major Esq of Indianapolis State of Indiana be admitted to practice as attorney and Counsellor of this Court and he was sworn accordingly

The Bay State Steamboat 102 Co: vs Appts Union Banks

The argument of this cause was continued by Mr Owen of Counsel for the appellee and concluded by Mr Gillet of Counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock

Thursday January 14th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson — associate
Robert C. Grier — Justices
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esquire — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened

On Motion first made to the Court in this behalf by the Hon: J. M. Howard it is ordered that the Hon: Charles Upson of Coldwater State of Michigan & Nathaniel A. Walch Esquire of Kalamazoo, State of Michigan be admitted to practice as Attorneys & Counsellors of this Court & they were sworn accordingly.

Thursday January 14th 1864. Continued

103	Edward H. Dunham vs The Cincinnati Peru & Chicago R. R. Co: et al.	The argument of this cause was commenced by Mr Otto of Counsel for

the appellant, and continued by Mr Major and Mr Black of Counsel for the appellees.

Proclamation being Made the Court is adjourned until tomorrow Morning at 10 o'clock.

Friday January 15th 1864

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable James M. Wayne	
" John Catron	
" Samuel Nelson	Associate
" Robert C. Grier	Justices
" Nathan Clifford	
" Noah H. Swayne	
" Samuel F. Miller	
" David Davis	
" Stephen J. Field	
Ward H. Lamon Esquire	Marshal
Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

Greene C. Bronson et al		The argument
132	vs	of the motion
The La Crosse & Milwaukee		for a writ of
R. R. Co: et al.		prohibition
		was commenced

by Mr Carpenter in support of the motion - continued by Mr Browning & Mr Emmons in opposition & concluded by Mr Carpenter in favor of the said motion.

Greene C. Bronson et al vs Appts The La Crosse & Milwaukee R. R. Co: et al

132

The argument of the motion to perfect the record in this cause was commenced by Mr Carpenter in support of the motion - continued by Mr T. S. Brown & Mr Carlisle in opposition, and concluded by Mr Carpenter in favor of said motion

Greene C. Bronson et al vs Appts The La Crosse & Milwaukee R. R. Co: et al

132

The argument of the motion to remand the record in this cause was commenced by Mr Carpenter in support of the motion - continued by Mr T. S. Brown & Mr Carlisle in opposition, & concluded by Mr Carpenter in favor of said motion

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock A M

Friday January 15th 1864

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson — Associate
Robert C. Grier — Justices
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esquire — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened.

Greene C. Bronson et al
vs
The La Crosse & Milwaukee
R. R. Co: et al.
132 — appts

The argument of the motion for a writ of prohibition was commenced by Mr Carpenter in support of the motion - continued by Mr Browning & Mr Emmons in opposition & concluded by Mr Carpenter in favor of the said motion.

Greene C. Bronson et al vs Appts The La Crosse & Milwaukee R. R. Co: et al

132

The argument of the motion to perfect the record in this cause was commenced by Mr Carpenter in support of the motion - Continued by Mr J. D. Brown & Mr Carlisle in opposition, and concluded by Mr Carpenter in favor of said motion

Greene C. Bronson et al vs Appts The La Crosse & Milwaukee R. R. Co: et al

132

The argument of the motion to perfect the record in this cause was commenced by Mr Carpenter in support of the motion - Continued by Mr J. D. Brown & Mr Carlisle in opposition, & Concluded by Mr Carpenter in favor of said motion

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock A M

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esquire — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened

83 Charles F. Eames vs Peffin Er Benjamin D. Godfrey — In Error to the Circuit Court of the United States for the District of Massachusetts

This cause came on to be heard on the transcript of the record from the

Circuit Court of the United States for the District of Massachusetts & was argued by Counsel - On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby reversed with costs, and that this cause be & the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo

per Mr Justice Davis

98 The County of Mercer vs Pfeiffer & W. H. G. Hackett — In Error to the Circuit Court of the United States for the Western District of Pennsylvania

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court is affirmed with costs & interest until paid at the same rate per annum that

similar judgments bear in the Courts of the State of Pennsylvania.

pr Mr Jus: Grier

Dissenting Mr Jus: Miller.

August Siebert		In Error to the Circuit
	vs Pffs in Er	Court of the United States
94		
The Mayor, Aldermen		for the Western District
& Citizens of Pittsburg		of Pennsylvania

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania and was argued by Counsel On consideration whereof it is now here ordered & adjudged by this Court that the judgment of said Circuit Court in this cause be and the same is hereby remanded to the said Circuit Court with directions to enter judgment for the plaintiff on the special verdict

pr Mr Jus: Grier

219 The State of Minnesota Pltff in Error
vs
George W. Batchelder

In Error to the Supreme Court of the State of Minnesota

This came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Supreme Court in this Cause be and the same is hereby reversed with Costs, and that this cause be & the same is hereby remanded to the said Supreme Court with directions to enter judgment overruling the demurrer to plaintiffs replication, and to award a Venire facias de novo.

per Mr Justice Nelson

Greene C. Bronson et al vs Appls The La Crosse & Milwaukee R. R. Co: et al

132

On consideration of the motion filed by Mr Carpenter on a prior day of the present term to wit the 15th of January 1864, to amend the record in this cause, and the argument of of Counsel thereupon had, as well in support of as against the said motion. It is now here ordered by the Court that said motion be & the same is hereby overruled.

Greene C. Bronson et al vs Appls The La Crosse & Milwaukee R. R. Co: et al

132

On consideration of the motion filed by Mr Carpenter on a prior day of the present term, to wit: the 28th of December, 1863, to amend the record in this cause, and the arguments of Counsel thereupon had as well in support of as against the said motion. It is now here ordered by the Court, with the consent of Mr Carlisle of Counsel for the complainants, that the said motion be & the same is hereby granted, but not to cause a postponement of the case, when it shall be reached on its regular call for argument.

The Milwaukee & Minnesota R. R. Co:

267 vs Appt

I. T. Soulter, Survivor &c

&

The Milwaukee & Minnesota R. R. Co:

268 vs

I. T. Soulter &c

On Consideration of the motion filed by Mr Carpenter on a prior day of the present term to wit the 28th of December 1863. to amend the record in these causes and the arguments of Counsel thereupon had, as well in support of, as against the said motion. It is now here ordered by the Court, with the consent of Mr Carlisle of Counsel for the complainants, that the said motion be, and the same is hereby granted but not to cause a postponement of the cases, When they shall be reached in their regular order

Edward W. Lunham

103 vs Appt

The Cincinnati, Peru & Chicago R. R. Co: et al

The argument of this cause was concluded by Mr Ott of Counsel for the appellant

Proclamation being made the Court is adjourned
until tomorrow morning at Eleven Oclock

Tuesday January 19th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esquire — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened.

89 William M. Jones
is Appt

Appeal from the Supreme Court of the Territory of Nebraska

Charles W. Greene
James M. Greene
George H. Gill &
Charles T. Gill

This cause came on to be heard on

the transcript of the record from the Supreme Court of the Territory of Nebraska & was argued by counsel. On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby reversed with costs, & that this cause be, & the same is hereby remanded to the said Supreme Court with directions to enter a decree for the defendant & to dismiss the bill of complaint

per Mr Justice Field.

John B Ryan
vs Pltff in Er
104 John C. Bindley

This cause was submitted to the consideration of the Court on the record & printed arguments of Messrs Lee & Fisher of counsel for the Pltff in Error.

Elisha Bloomer
vs Appl
105 James Millinger

This cause was argued by Mr C. A. Seward, in part, & by Mr Norton in part, for the appellants. No counsel appearing for the appellee.

Tuesday January 19th 1864. Continued.

Meyer & Shucken
vs Pltff in Er
107 The City of Mussentine

This cause was submitted to the Consideration of the Court on the record & printed arguments by Mr Cook of Counsel for the plaintiff in Error, and by Mr Butler and Mr Richman of Counsel for the Defendant in Error

Francisco Perez Pacheco's Exrs
vs Appt
108 The United States

The argument of this cause was commenced by Mr Black of Counsel for the appellants & Continued by Mr Wells of Counsel for the Appellee

Proclamation being made the Court is adjourned until to morrow morning at 11 o'clock

Wednesday January 20. 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	James M. Wayne	
	John Catron	
	Samuel Nelson	Associate
	Robert C. Grier	Justices
	Nathan Clifford	
	Noah H. Swayne	
	David Davis	
	Stephen J. Field	
	Ward H. Lamon Esquire	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by J. S. Black Esq it is ordered that J. B. Williams Esq of San Francisco, State of California be admitted to practice as Attorney and Counsellor of this Court and he was sworn accordingly

Greene C. Bronson et al
132 vs Appts
The La Crosse & Milwaukee
R. R. Co. et al.

Mr Justice Nelson delivered the opinion of the Court Suspending the Motion for a writ of prohibition.

Francisco Perez Pacheco's Exrs
108 vs Appls
The United States

The argument of this cause was continued by Mr Wills of Counsel for the appellees and concluded by Mr. Black of Counsel for the appellants.

Andrew B. Orchard et al
109 vs Appls
John Hughes et al

The argument of this cause was commenced by Mr Woodworth of Counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow January 21st at eleven o'clock

Thursday January 21. 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present-

The Honorable	James M. Wayne	
	John Catron	
	Samuel Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	David Davis	
	Stephen J. Field	
Ward H. Lamon Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in behalf of Mr Francis Kernan, it is ordered that Richard Raynor Esqr of Syracuse, State of New York be admitted to practice as an attorney & Counsellor of this Court & he was sworn accordingly.

Thursday January 21. 1864. Continued.

The Bay State Steamboat Co. Claimant of the Steamboat Metropolis her Tackle &c
102 vs Appt
Simon Banks. Libellant

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York & was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be & the same is hereby affirmed with costs

By decided Court.

Andrew B. Orchard et al
109 vs appts
John Hughes et al

The argument of this cause was continued by Mr McCarthy & Mr Bedell of Counsel for the appellees & concluded by Mr Hornan of counsel for the appellants.

Proclamation being made the Court is adjourned until to morrow Morning at 9 oclock

Friday January 22d 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
David Davis
Stephen J. Field

Ward H. Lamon Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On Motion first made to the Court in this behalf by Mr Attorney General Bates, it is ordered that John T. McGilvra Esq of Vancouver. Territory of Washington be admitted to practice as attorney and counsellor of this Court and he was sworn accordingly

On Motion first made to the Court in this behalf by Mr George E. Pugh, it is ordered that Peter J. Sullivan Esq of Cincinnati State of Ohio, be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

On Motion first made to the Court in this behalf by Mr Daniel W. Voorhees, it is ordered that John C. Risley of Terre Haute, State of Indiana, be admitted to practice as Attorney & Counsellor of this Court & he was sworn accordingly.

The United States
1143 vs Appellants
Joaquin Alvarado

Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the Transcript of the record from the District Court of the United States for the Southern District of California, and on the Motion of Mr Attorney General Bates & of Counsel for the appellants, it is

here considered, ordered & decreed by this Court that this cause be & the same is hereby dismissed

pr Mr: Jus: Wayne

The United States vs Appls Julian Ursua & Pedro Roma

148

Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, & on the motion of Mr Attorney General Bates & of Counsel for the appellants it is now here considered ordered and decreed by this Court, that this cause be & the same is hereby dismissed

pr Mr Jus: Wayne

The United States vs Appls Jose Ramon Malo

161

Appeal from the District Court of the United States for the Southern District of California

Friday January 22d 1864. Continued

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, & on the Motion of the Attorney General Bates and of Counsel for the appellants, it is now here considered, ordered & decreed by this Court that this cause, be and the same is hereby dismissed.

per Mr. Justice Wayne

166 The United States vs Libel & Appeal
Geo. F. Holcomb & Henry F. Holcomb. Claimants, & Part Owners of the Steam Tug "Seneca" Her Engines &c

Appeal from the District Court of the United States of the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin, & on the Motion of Mr. Attorney General Bates & of Counsel for the appellants, it is now here considered, ordered & decreed by this Court that this cause be & the same is hereby dismissed, & that this cause be & the same is hereby remanded to the Circuit Court of the United States for the District of Wisconsin

per Mr Justice Wayne

Friday January 22d 1864. Continued

The United States
167 vs Stubbs & Appts
The Lake Superior Forwarding Co:
Claimt & Owners of the Propeller
F. W. Backus, her tackle
apparel & furniture

Appeal from
the District
Court of the
United States
for the
District of
Wisconsin

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin, & on the motion of the Attorney General Bates & of Counsel for the appellants, it is now here considered, ordered & decreed by this Court that this cause be & the same is hereby dismissed & that this cause be & the same is hereby remanded to the Circuit Court of the United States for the District of Wisconsin.

per Curiam: Wayne

Ex parte. In the matter
of Edward Stubbs
vs
Original The United States

On petition for a writ of
Mandamus to the Judges
of the Supreme Court of
the District of Columbia

The application for a writ of Mandamus filed in this cause on this day, was argued by Mr Gillet in support thereof, and by Mr Coffey in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Baltimore & Ohio R.R. Co.
vs Peff in Er
William Patterson

The argument of the motion to dismiss this cause was commenced by Mr Davis in support of the same, continued by Mr Latrobe in opposition thereto, & concluded by Mr Davis in behalf thereof. Whereupon this Court not being now here sufficiently advised of & concerning what order to make in the premises took time to consider.

328 John Reynolds et al
vs Peff in Er
Robert Forsyth

On consideration of the motion of Mr Browning to dismiss this cause, it is now here ordered by the Court that this motion be & the same is hereby set down for argument for Friday

next the 5th of February, and that due notice be given to the opposite party.

242 Samuel R. Curtis chac vs William D. Brown Appl — Mr Woolworth of Counsel for the applee now here suggests of Henry Z. Curtis one of the appellants in this cause

312 William T. Brown vs Peff in Er W. C. Larkington et al — The argument of the motion to dismiss this cause was commenced by Mr Woolworth & Mr Gillet in support of the same & concluded by Mr Brown the plaintiff in error in opposition thereto. On consideration whereof, this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider

Friday January 22. 1864. Continued

Ex parte In the matter of Clement L. Vallandigham Petitioner

The petition for a writ of certiorari to the Judge Advocate General was argued by Mr Pugh in support of the same, & submitted by J Holt, Judge Advocate General on printed argument in opposition thereto.

6 (Orig)

Thomas Bevier Pltff in Er vs Samuel S. Taylor et al

110

This cause was argued by Mr Trumbull of Counsel for the Defendant in Error & submitted by Mr Gillet on the printed argument of Messrs Grimshaw & Williams of Counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until Monday Morning at eleven o'clock.

Monday January 25th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esqr Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened

On motion just made to the Court in this behalf by Mr J. M. Carlisle, it is ordered that Francis Winthrop Palfrey Esq of Boston State of Massachusetts, be admitted to practice as attorney & Counsellor of this Court & he was sworn accordingly.

94 Rufus S. Lee & William D. Leavitt Partners, under the name & Style of Lee & Leavitt. Pltff in Er vs Patrick Watson, James A. Watson and Washington Watson — In error to the Circuit Court of the United States for the District of Ken= =tucky

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky & was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

per Mr Justice Field

97 William H. D. C. Wright vs Compt & Appt James Ellison Esq of Joseph Baker, decd John W. Geger & Henry F. Baker — Appeal from the Circuit Court of the United States for the District of Columbia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United State for the District of Columbia & was argued by Coun=sel. On Consideration whereof it is now here ordered, adjudged & decreed by this Court that that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs, & that this cause be & the same is hereby remanded to the Supreme Court of the District of Columbia.

per Mr Jus: Swayne

William M. Richardson
vs Plaintiff
The County of Lawrence

On a certificate of division in opinion between the Judges of the

100

Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, & on the points & questions upon which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion

agreeably to the act of Congress in such case made & provided & was argued by Counsel. On Consideration whereof, it is the opinion of this Court that the motion of plaintiff to enter a verdict & judgment in his behalf for the sum of $864.00, with interest from November 14. 1861, ought to be granted. Whereupon it is now here ordered & adjudged by this Court that it be so certified to the said Circuit Court.

Mr. Mc Lean: Grier

Baltimore & Ohio R. R. Co. vs Pitts & Ex William Patterson

326

Mr Davis makes a motion in this case to dismiss the writ of Error for the want of a service of a citation, and further that the appeal bond is not is not properly stamped as required to be done by the laws of the United States. Both points have had the consideration of the Court & it is our opinion that the affidavit of James W. Reed, introduced by the Counsel for the Defendant is properly admissible upon the hearing of this motion, & that it establishes the service of a citation was upon Mr

Davis, to serve all the purposes of the law upon the subject, and it is our further opinion that the appeal Bond required no other stamps than that which appears to be upon it. Motion denied

Mr Justice Wayne

W. T. Brown
vs Peffer
W. C. Harkington et al

312

Mr Woodworth has made a motion for the dismission of the writ of Error in this cause for the want of service of citation.

It appears that judgment was rendered by the Circuit Court for the defendants on the 25th day of May 1863. The writ of error is tested on the 18th day of November 1863. and is returnable to the first day of the Term of the Court, viz:- the 7th Dec: 1863. The citation is tested on the same day with the writ of Error requiring the defendants to appear on the first day of the term but the record does not show that any citation was served. The record was filed in this Court on the 10th day of December 1863. But another citation will be found in all respects like that which has

been before us, to which is annexed an affida=vit to show a service of it on the defendant on the 29th day of December 1863. In either case any citation requiring the defendant to appear upon a day which had passed is insuffi=cient. The party was entitled to 30 days notice. Upon the foregoing statement the Court has de=termined to dismiss the writ of error with the allowance that the printed record now dismissed may be used without any reprint of it, if another writ of error shall be filed by the plaintiff in error, he first paying the costs of this dismissal

per Mr Jus: Wayne

112 Elijah Perry vs Effie Ee The State of New Hampshire

This cause having been called for argument and no counsel appear=ing ready to proceed therewith, it is now here ordered by the Court that this cause be & the same is hereby postponed to the foot of the docket pur=suant to the 26th rule of this Court.

Monday January 25th, 1864. (Continued.)

The United States
113 vs Appl
Benjamin S. Hallock, Claimt &c

This cause was submitted to the consideration of the Court on the record & printed arguments by the Attorney General & Mr Collamer of Counsel for the Appellants

The United States
114 vs appt
Jose L. Sepulveda et al

This cause was argued by Mr Wells of Counsel for the United States

Inocencio Romero et al
116 vs Appt
The United States

The argument of this cause was commenced by Mr Carlisle of Counsel for the Appellants, continued by Mr Black of Counsel for the United States, & concluded by Mr Carlisle for the Appellants.

The Schooner Napoleon, her Tackle &c. Daniel Colden Murray Claimt &c
277 vs Appellants
The United States

Appeal from the District Court of the United States for the

Southern District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and it appearing to the Court from the stipulation on file, that the matters in controversy had been agreed and settled between the parties. It is thereupon now here on the motion of Mr Attorney General Bates of Counsel for the appellee, Considered, ordered, adjudged & decreed by this Court that this cause be and the same is hereby dismissed

per Mr Chas: Wayne

Juan Jose Gonzales widow Chmt. & Bartlett V. Weeks et al Intervenors vs Appellants The United States

Appeal from the District Court of the United States for the Northern District of California

117

Monday January 25th 1864. Continued.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California - On Consideration Whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Mr Jas: Wayne

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday January 26th 1864.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis &
Stephen J. Field

Ward H. Lamon Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

118 The United States vs Appts Manuel Anguisola — This cause was argued by Mr Wells of Counsel for the United States.

119 The United States vs Wm J. Johnston et al — This cause was argued by Mr Wells of Counsel for the United States.

Candelario Miramontes, heirs
120 & Appts
The United States

This cause was argued by Mr. McDougall for the appellants, and by Mr Black Atty Genl for the United States, and submitted by Mr Della Torre on printed arguments in behalf of the United States

Russell Sturgis
121 vs Appt
John Clough & al

This cause having been called for argument & no Counsel appearing ready to proceed therewith, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 26th rule of this Court

Hiram Clearwater
122 vs Pltff in Er
Solomon Meredith

Mr Pugh of Counsel for the plaintiff in error now here suggests the death of Hiram Clearwater the Plaintiff in error in this cause, and now here moves the Court

for leave to enter the appearance of Edward A. Ferguson, Administrator of Hiram Clearwater, deceased with liberty to prosecute this writ of error, On Consideration whereof it is now here ordered by the Court that the appearance of the said Ferguson, admr as aforesaid be entered as the Plaintiff in error & that the said Administrator be & he is hereby made the Plaintiff in error in this cause

Hiram Clearwater
122 vs Pffs in Er
Solomon Meredith

This cause was argued by Mr Pugh of Counsel for the Plaintiff in Error and submitted on the record & printed argument by Mr Hendricks of Counsel for the Defendant in Error.

Texas Ninninger et al
123 vs Pffs in Er
Mary D. Saunders, Widow &c

This cause was Submitted to the Consideration

of the Court on the record and printed arguments by Mr Stanbury of Counsel for the Plaintiff in Error, and by Mr Ewing of Counsel for the Defendant in Error

Tuesday January 26th 1864. Continued.

The United States
124 vs Appt
José Antonio Aguerro & ux

This cause was argued by Mr Voris of Counsel for the United States, and by Mr I. B. Williams of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at eleven o'clock.

Thursday January 21st 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robt C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esqure Marshal
David Wesley Middleton Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr R. H. Gillet it is ordered that John Van Vleck of New York City, State of New York be admitted to practice as Attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr R. H. Gillet it is ordered that Geo: E. H. Day

of Washington District of Columbia & admitted to practice as Attorney & Counsellor of this Court & he was sworn accordingly.

120 Candelario Miranda Plff in Err vs Appt The United States

This cause was argued by Mr Della Torre of Counsel for the United States.

125 The United States vs Appt Saulago Arguello

This cause was argued by Mr Wirt of Counsel for the United States.

121 Russell Hunges vs Appt Wm Clough et al

On Motion of Mr Van Vleck it was ordered that this cause be set for argument on tomorrow morning the 28th inst

129 Abraham La Tourette et al vs Appts Peter R. Burton et al

The argument of this cause was commenced by Mr

Gillet of Counsel for the appellant, continued by Mr Haskell of Counsel for the Appellee and Concluded by Mr Gillet for the appellant.

126 The United States vs Appls Anastasio Cands

This cause was argued by Mr Wells of Counsel for the United States.

127 The United States vs Appls James Scotts. Heirs

This cause was argued by Mr Wells of Counsel for the United States.

Proclamation being made the Court is adjourned until tomorrow morning at 11 oClock

Thursday January 28th 1864.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened

On Motion first made to the Court in this behalf by Mr B. H. Gillet, it is ordered that Robert D. Benedict & Charles Jones Esquires both of the City of New York, State of New York be admitted to practice as Attorneys & Counsellors of this Court & they were sworn accordingly

Russell Sturgess vs Appl
21 John Clough chac

The argument of this cause was commenced by Mr Jones of Counsel for the appellant Continued by Mr Bradbeck of Counsel for the appellee, & concluded by Mr Jones for the appellant.

The United States vs Appls
28 D. L. Gregory chac

This cause was argued by Mr Wells of Counsel for the United States.

The United States vs Appls
30 Julian Workman

This cause was argued by Mr Wells of Counsel for the United States.

Proclamation being made the Court is adjourned until to morrow morning at 10 oclock.

Friday January 29th 1864.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr J. S. Coffey it is ordered that Nathaniel Wilson Esquire of Washington District of Columbia be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr I. M. Carlisle it is ordered that George Guscom Esq of Philadelphia, State of Pennsylvania be admitted to practice as attorney & counsellor of this Court & he was sworn accordingly.

James I. Roosevelt
vs Pltff in Error
315 Lewis H. Meyer

Mr Wells in behalf of Mr Rosher of Counsel for

Defendant in Error moved for leave to the Clerk to issue a procedendo in this cause. On consideration whereof this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

William F. Tucker
vs Libl & Appl
320 The Propeller Buckeye

The motion of Mr. Spalding of Counsel for the appellee to dismiss this cause

Set for argument on next Friday the 5th of February

Friday January 29th 1864. Continued.)

Ex parte In the matter of Edward Stubbs vs The United States

(Original)

The motion of Mr Gillet for a writ of Mandamus directed to the Judges of the Supreme Court of the District of Columbia set for argument on Friday next the 5th of February.

111 Charles Fossat vs Appt The United States

On motion of Mr Coffey on behalf of the Attorney General, it is ordered by the Court that the motion of Mr Bowdy Wilson to dismiss the appeal of the Intervenor in this cause, be set for argument on Friday next the 5th of February

131 The United States vs Appts William Carey Jones

This cause was argued by Mr Wells of Counsel for the United States.

Greene C. Bronson et al vs The La Crosse & Milwaukee R. R. Co. et al — Appls

132

Mr Carpenter of Counsel for the Respondents & Mr Carlisle in behalf of himself & other Counsel for the complainants move the Court for an extension of time in the argument of these cases. On consideration whereof it is now here ordered by the Court that Mr Brown be allowed four hours in his opening argument. Mr Carpenter four hours in reply to Mr Brown in the opening argument in the subsequent appeals. Mr Emmons & Mr Browning to reply to Mr Carpenters argument on the subsequent appeals without extra time. Mr Carpenter in his reply to Mr Emmons & Mr Brown to have three hours and Mr Carlisle in the closing argument to have three hours.

Proclamation being made the Court is adjourned until Monday next at Eleven o'clock

Monday February 1st 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esq. Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court opened.

John B. Ryan
vs
Jeffries
John C. Bindley

104

In Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby reversed with costs & that this cause be & the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo

pr Mr Jus: Davis

Edward L. Parker
vs
Sterling Lee

101

In Error to the Circuit Court of the United States for the District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri & was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby

affirmed with costs
per Mr Jus: Davis

Calvin Burr
vs
Plffs in Er
Des Moines Navigation
and Rail Road Co:

In Error to the
Circuit Court
of the United
States for the
District of Iowa

C53

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that this cause be and the same is hereby dismissed with costs
per Mr Jus: Miller

Meyer and Mucken
vs
Plffs in Er
The City of Muscatine

In Error to the
District Court
of the United
States for the
District of Iowa.

10

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Iowa and was argued by Counsel on consideration Whereof it is now here ordered & adjudged by this Court that the judgment of the said District Court in this cause be & the same is hereby reversed with cost and that this cause be & the same is hereby remanded to the Circuit Court of the United States for the District of Iowa for further proceedings to be had therein in conformity to the opinion of this Court.

per Mr Jus: Swayne

Dissenting

Mr Jus: Miller

109

Andrew R. Orchard et ux et
James Stewart
vs
John Hughes et ux

Appeal from the Supreme Court of the Territory of Nebraska

This cause came on to be heard on the transcript of the record from the Supreme

Court of the Territory of Nebraska & was argued by Counsel. On Consideration Whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be & the same is hereby affirmed with Costs

per Mr Justice Nelson

(Mr Justice Miller not being present in the argument took no part in the decision of this cause)

A. R. Orchard & Amanda Orchard vs Appts John Hughes & Eliza Hughes

Appeal from the Supreme Court of the Territory of Nebraska

341

This cause came on to be heard on the Transcript of the record from the Supreme Court of the Territory of Nebraska & was argued by Counsel. On consideration whereof it is the opinion of this Court that there is error in the decree of the said Supreme Court in awarding execution

for the deficiency not satisfied by the sale.

It is therefore now here ordered, adjudged & decreed by this Court that so much of said decree be & the same is hereby reversed and annulled. And it is further ordered adjudged and decreed by this Court that the residue of said decree in all other respects be & the same is hereby affirmed, with costs, and that this cause be & the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to the opinion of this Court.

per Mr Jus: Nelson

(Mr Jus: Miller not being present on the argument, took no part in the decision of this cause)

Gleane C. Bronson

132 vs Appt

The La Crosse &
Milwaukee R.R. Co. et al.

Henry Vallette &c

134 vs Appts

Gleane C. Bronson et al

The Milwaukee &
Minnesota R.R. Co

267 vs Appts

I. T. Soutter, Survivor &c

The Milwaukee &
Minnesota R.R. Co.

268 vs Appts

I. T. Soutter, Survivor &c.

The Argument
of these
causes
Continued
by Mr
Brown
of Counsel
for the
Complainants.

Proclamation being made the Court is
adjourned until to-morrow morning at
at Eleven o'clock.

Tuesday February 2d 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esq Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon: C. H. Pendleton it is ordered that Hon: Myer Strouse of Pottsville, State of Pennsylvania be admitted to practice as Attorney & Counsellor of this Court & he was sworn accordingly.

On motion of first made to the Court in this behalf by M. H. Carpenter Esq, it is ordered that W. W. Willard Esq of Williamsport. State of Pennsylvania be admitted to practice as attorney & Counsellor of this Court & he was sworn accordingly

Greene C. Bronson
132 vs Appts
The La Crosse & Milwaukee R. R. Co:

Henry Vallette &c
134 vs Appts
Greene C. Bronson &c

The Milwaukee & Minnesota R. R. Co:
267 vs Appts
I. T. Doutler, Survivor &c.

The Milwaukee & Minnesota R. R. Co:
268 vs Appts
I. T. Doutler, Survivor &c

The argument of these causes was Continued by Mr Brown of Counsel for the Complainants & by Carpenter of Counsel for the Respondents.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'clock

Wednesday February 3d 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson — Associate
Robert C. Grier — Justices
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esq Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

Greene C. Bronson
vs appl
The La Crosse and
Milwaukee R. R. Co: et al.

Henry Vallette et al
vs appts
Greene C. Bronson et al

The argument of these cases was continued by Mr Carpenter of Counsel for the Respondents.

The Milwaukee and
Minnesota R. R. Co.
267 vs appls
J. J. Soulliè, Survivor &c.

The Milwaukee and
Minnesota R. R. Co.
268 vs appls
J. J. Soulliè, Survivor &c

Proclamation being made the Court is
adjourned until to morrow morning
at Eleven Oclock.

Thursday February 4th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esquire — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr O. H. Browning, it is ordered that Alexander H. Ayres Esq. of Fort Plain State of New York be admitted to practice as Attorney & Counsellor of this Court and he was sworn accordingly

Thursday February 4th 1864. Continued.

Grace C. Bronson
132 vs Appt
Theda Crosse and
Milwaukee R. R. Co. et al

Henry Balliet et al
134 vs Appts
Grace C. Bronson et al

The Milwaukee and
Minnesota R. R. Co
267 vs Appts
I. T. Soutter et al

The Milwaukee and
Minnesota R. R. Co
268 vs Appts
I. T. Soutter et al

The argument of these causes was continued by Mr Brown and Mr Browning of Counsel for the Complainants

Proclamation being made the Court is adjourned until tom-row morning at Eleven O'clock.

Friday February 5th 1864

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On Motion first made to the Court in this behalf by Hon: J. D. Brown, it is ordered that the Hon: George H. Yeaman of Owensboro State of Kentucky be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly

27 G. A. Meigs et al vs The Steamer Northerner

Mr McGilvra of Counsel for the appellants moved the Court for leave to the Clerk to issue a procedendo in this cause. On Consideration whereof this Court not being now fully advised of and concerning what order to render in the premises took time to Consider

28 G. A. Meigs et al vs The Pacific Steamship Co.

Mr McGilvra of Counsel for the appellants moved the Court for leave to the Clerk to issue a procedendo in this cause On Consideration whereof this Court not being now fully advised of and concerning what order to render in the premises took time to Consider

J. Mervey Jones, Alexander M. Wallingford, William K Nunick & Alexander Nimick Partners doing business under the name of Jones, Wallingford & Co: vs Appls

James K. Moorhead, Lancaster R. Livingston, William B. Copeland, Calvin Adams, & David Mc Kee Partners, doing business under the name & Style of Livingston, Copeland & Co:

Mr Browning of Counsel for the appellees having filed and read in open Court a Suggestion of a diminution of the record in this case in the words & figures following to wit

"In the Circuit Court of the United States for the Western District of Pennsylvania

J. K. Moorhead et al
vs
J. Mervey Jones et al

No 1. of May T. 1858.

To Mervey Jones, Alexander M. Wallingford, William K Nunick & Alexander Nimick, doing business under the name

of Jones, Walling ford & Co: Respondents.

Please take notice that testimony of witnesses on behalf of the Complainants in the above suit will be taken in the City of Pittsburg, in the Western District aforesaid on Monday the 21st Day of March, instant before Henry Stanbery Esq United States Commissioner (or some other Competent officer) at the office of the Clerk of the Circuit Court of the United States for said district, to commence at 10. oclock of that day and to continue from day to day by adjournments, if necessary.

William Bakewell
Solicitor for Complainants

Pittsburg March 10th 1859

Service accepted this 10th March, 1859.

Stow & Hampton
Solicitors for Respondents

Rec: C. C. C. C. D. J. 1863)-1

In the Circuit Court of the United States for the Western District of Pennsylvania

Friday February 5th 1864. Continued.

Livingston Copeland & Co. vs Jones, Wallington & Co. — No. 1. May Term 1858. In Equity. Monday March 21st 1859

In pursuance of notice heretofore attached the counsel of the parties appeared, Mr Bakewell for complainants, & Mr Stone for respondents. The following witnesses appeared, & were examined on the part of the complainants, as follows.

William Bullock sworn

1st When do you reside? What is your occupation? And what is your age?

A. I reside in Brooklyn, New York. My occupation at present is manufacturing printing presses. I am about forty five years old.

2d Have you been accustomed to the construction & examination of machinery if yea, how long?

Friday February 5th 1864. (continued.)

A. I have been accustomed to the construction and examination of Machinery for a great portion of the time during the last twenty years

3d Have you had experience in judging of the similarities & differences in Mechanical devices & Machinery?

A. I have: about three years I was Solicitor for inventions of patents

4th Have you been accustomed to the examination of Specifications & Drawings for patents for Mechanical inventions?

A. I have

5th Have you seen & read, & are you acquainted with the contents of the second reissue, dated October 7. 1856 of Letters patent granted to John R. Sherwood on the 14th December 1842, and extended for the term of seven years on the 15th December 1856?

A. I have seen it & am acquainted with the contents of said Letters Patent

6th To What kind of locks do you understand John P. Sherwoods invention as patented to him to apply?

A. I understand it to apply to locks so finished as to apply to doors either side, as a right, or left hand lock

(A lock has offered, Marked "A. H. Smoul," shown to witness)

7th State if you ever saw that lock before? Where?

A. I have seen this lock on the basement gate of the Custom house in New York City fronting on Nassau Street, corner of Wall.

8th Did you see the lock when it was on the Gate?

A. I did.

9th State whether the gate was on the outside

on inside of the building: What kind of a Gate it was, and how the lock was attached to the gate.

A. It was in the outside wall, an iron gate & the lock was attached by rivits, an open iron gate.

10th Mate if you were present when that lock was removed from the gate of the Custom House to which it was attached, and how you can identify it as the same lock that was on the gate, & when it was removed from the gate.

A. I was present, and identify it by writing which I find on it now, placed there by me at the time it was taken off: the writing is "C. House. W. Bullock." On Saturday 19th instant, it was taken off.

11th Who took possession of that lock when removed from the gate of the Custom House, & by whom was it brought to this City

A. I took possession of it & brought it here

12th Are you, then, perfectly sure that it is the same lock which was on the gate of the Custom House, at the corner of Nassau & Wall Streets, N.Y.C. & Lock

A. I am positive it is the same

13th Has that lock case a finish on both its sides for the purpose of applying it to a door opening either to the right or left?

A. It has not. it is evidently made for one way

14th Wherein does that lock differ from a Janus face lock, by which I mean a lock having a finish on both faces, and so construed otherwise as to be applicable to a right or left hand door, or to either side of the same door?

A. It differs in this, that a portion of the edges are formed by bending down the outside case, so as to have the corners rounded

and the balls are nearer to the one side of the lock than the other, so that the same Keeper would not answer if the lock were reversed and the catch bolt beveled on one side would not hold the door together if the lock were reversed.

15th State whether there is anything in the construction or arrangement of the catch bolt which renders this lock unsuited for a right and left hand door lock.

A. There is, The tongue of the catch bolt is beveled on one side, that is all.

16th Would not a right & left hand door lock be so constructed & finished as that either side of the lock is equally susceptible of being turned out? And if yes, State whether this lock is so constructed and finished that either side may be made the outside when the lock is attached to the door.

A. In my opinion they should be so

Constructed & finished. This lock is not so constructed & finished; it is made for one side only of the door.

17th Should you call this lock a door lock?

A. I should not call it a door lock now

18th Is that a right or left hand lock?

A. This is a left hand lock.

Adjourned to meet at 2 o'clock. P.M.

A. Spence. Commissioner

Monday Afternoon 2 o'clock. Parties appear, present as in forenoon

William Bullock resumed

19th In answer to the 13th interrogatory you state that this lock now before you (12) the custom house lock) is evidently made "for one way" Explain what you mean by that.

A. I mean by "one way" one side only of the lock can go next the door.

20th In case a lock similar to this one before you was wanted for a right hand lock, in what respect would it have to be made different from this one.?

A. It would have to be made the reverse of this one; the bevel of the latch would have to be on the other side of the latch, and the keep hole, the other end down

(The inside plate of the lock is now taken off by the witness to examine its interior construction)

21st State whether the latch bolt is so constructed and arranged in connection with the parts of the lock by which it is operated, as that it is susceptible of reversal, without altering the other parts of the lock so as to bring the bevel of the latch in a proper position for a right hand lock

A. It is not

22d In answer to the 15th interrogatory

you said that the bevel of the tongue of the latch was that which rendered it unsuited for a right & left hand door lock and added to your answer "thats all" What do you mean by "thats all"

A. I said "thats all" because I had not seen the interior of the lock, & because I supposed the question referred to the exterior appearance of the latch bolt alone & not to its connection with the other parts of the lock

(Lock produced & shown to the witness, marked "B. B. H. Sproat")

23. State whether you have ever seen this lock before. If so, where?

A. I have seen this lock before on the front gate of the yard of the City hospital on Broadway, New York.

24th. What description of gate was this lock on?

A. It was on an open iron gate. The gate was private outside & entirely detached from the building

25th Were you present when that lock was removed from the front gate of the City Hospital? When was it removed & how can you identify it?

A. I was present when it was removed on Saturday last. I identify it by writing which I find on it: "Entrance Hospital". Written by me at the time it was taken off

26th Who took possession of that lock at the time it was taken off, & who brought it to the City?

A. I took possession of it, & brought it here & have had possession of it ever since it was taken off, & know it is the same lock.

27th State whether that lock is so finished on both faces as to adapt it for application either to a door opening to the right or left, that is to say, may either face of the lock be placed outside Equally well?

A. This is made for a door opening to the right - One side being better finished

for the outside than the other.
28th Is this such a lock as is applicable for a door at all?
A. It could be used on a door, but I should consider it a gate lock for iron gates.
29th Is it such a lock as would be suitable for use in a house?
A. I should think not.
30th Is there any catch-bolt to this lock now before you?
A. There is not
31st Is there any material difference in the construction & finish of the two faces of this lock & What?
A. There is. A portion of the plate from which the outside of the lock is made is turned down, so as to form the ends & cover the edge plates, so as not to show the joints on the outside face of the lock, which I call the face, & on the opposite side of the lock the plate is filled in between two of the edge plates, which would leave the joints in view should the lock be put on that side from the door.
32d. Is that lock equally well adapted to a door opening to the left hand as to a door opening to the right hand?

A. It is not.

(Lock marked "C. C. Smout" here shown to witness)

33d. Examine this lock, & state whether you have seen it before, where it came from & how you can identify it?

A. I have seen it before on the gate at the Keepers Lodge of the City Hospital, on Broadway, New York. It was taken off in my presence on Saturday last at which time I wrote "Keepers Lodge" on its face, and I have been in possession of it ever since. I brought it to this City. It was an open iron gate that was outside & detached from the building

34th. State what kind of a lock you consider this to be.

A. I consider this to be a dead lock, adapted to an iron gate; by a dead lock I mean a lock without a latch bolt.

35. Is that a left or right hand lock?

A. It is a right hand lock

36th. Are the words "Keepers Lodge" written on the outside or face of the lock or on the inside? by which I mean the

Side placed next the gate.

37. Is there anything in the appearance or situation of the bolt which leads you to suppose that this lock is not constructed so as to have either side placed next to the gate.

A. There is, The bolt is much nearer one side than the other, so that the Keeper would not answer were the lock reversed.

38th Is there any thing else in the construction or appearance of the lock which shows that it was not designed to be placed either side out? State what!—

A. There is. The end plates are formed by bending down a portion of the plate, thereby giving greater strength to the face plate, so that the lock cannot be so easily pried open when secured to the door or gate, as it could be if placed the other side out.

(Lock marked "D. S. N. Spence" here shown to witness)

39th State whether you have ever seen this lock before, and where, and how do you identify it?

A. I have seen it before on the centre gate of St Marks Church, in New York, I put two crosses on it previously to its removal from

the gate, and am positive it is the same lock removed on Saturday last & brought here by me
40th Male Whether this lock is so constructed & finished as to be suitable for use on a right or left hand lock, & to have either face plate outside
A. It is constructed for a right hand lock and is only suitable to be put one side out; one plate being sunk about three eighths of an inch below the Edge plate, it would be entirely unsuitable to be placed that side; also the bolt is on one side of the lock, close to the face plate, so that the Keeper would not answer if the lock should be placed upon the door the reverse side out.
41st Male How the outside plate is attached to the lock.
A. It is attached by two screw bolts, with nuts on the outside of the plate.
42d What kind of a gate was that lock attached to, & how is the gate situate?
A. It was attached to an open iron gate on a fence of the church, on the sidewalk, detached from the building.
43d Male Whether you brought with you the the entire lock & Whether this is the entire lock
A. I brought the entire lock with the exception

of the Keeper into which the bolt passes, it is locked, and this is the entire lock

44th State what description of lock this is

A. A dead lock, suitable for a door

(Lock marked "E.E.H. Spence" Now shown Witness)

45th Examine this lock & state whether you have seen it before - Where & how you can identify it.

A. I have seen it before on the Western gate in the Basement of the City Hall, New York in the passage way or hall & identify it by "W. G." Marked on it by me when I removed it from the gate on Saturday last. I took possession of it at that time, and brought it to this City and have had possession of it ever since, & I am positive it is the same.

46th State what kind of lock that is.

A. A dead lock, suitable for an iron gate. It is not what I call a door lock

47th Is it finished alike on both sides?

A. It is not. The end plates are formed by bending down portions of the face or outside plate, thereby rendering it more difficult to pry it open when properly secured to the door or gate, when used as a left hand lock, for which it is evidently designed. I also find the bolt is nearer the

one side than the other, so that the same keeper would not answer to have the lock placed on the reverse side of the gate. Also, one of the end plates projects beyond the inside face plate showing the joints, which would be unsuitable for the outside of a lock.

Adjourned to meet at 9 o'clock tomorrow morning.

Tuesday, March 23d 1859. Parties met present the Counsel of both parties.

Wm. Bullock resumed (Lock E.E. again shown to witness.)

48th State what kind of a gate you found this lock attached to.

A. It was an open wrought iron gate.

49th Where is that gate situate.?

A. Near the west end of the passage way in the basement of City Hall, Nth Side

Cross Examined by Mr Stone.

1st Are you familiar with the James faced lock manufactured by the Complainants, having a blunt bolt & steel keeper?

A. I have seen them.

2d State whether or not if this lock marked, "A A", had a blunt catch bolt, & in connection with a lock keeper, might not be used

either as a right or left hand door lock
A. Not with the same bevel keeper.
3d. Why might it not be used with the same bevel keeper?
A. Because the catch bolt is nearer the one side of the lock than the other
4th Is that the only reason
A. This is the only reason I observe now
5th Might not the keeper be so arranged as to obviate that difficulty?
I dont know but some inventor might get up one, but I have never seen one
6th Would it not depend entirely upon how the keeper was placed upon the joint of the door?
A. The keeper might be furred up from the casing of the door to accommodate the thick side of the lock; or might be mortised into the casing to accommodate the thin side of the lock
(Lock marked "J.D." again shown to witness)
7th State whether this lock, before it was taken off the gate at St Marks Church, presented the same appearance upon both sides that it now does.
A. I could see but one side of it while

on the gate; it was placed against a plate which without close inspection appears to be a portion of the lock

8th Mate how this was put upon the plate which was fastened to the gate as just mentioned.

A. The plate was placed against the bars of the gate, & the sunken side of the lock against the outside of the plate.

9th Did that present the same appearance on both sides of the lock?

A. Nearly the same.

(Lock marked "6 6" now shown to Witness)

10th What is to prevent this lock being used for a door or gate opening either to the right or left.

A. I do not know anything to prevent any lock, which has not a bevel bolt, has a Keyhole through the door, being used on either a right or left hand lock or gate.

11th Can you use any ordinary lock either upon a right or left hand door, without turning it up side down?

A. Such a lock as answered in my last question - I could.

12th What kind of a lock did you mean in your last question?
A. A lock that has not a bevled bolt.
13th Would it not be necessary to have the lock so arranged as that you can turn either side out?
A. It would
14th Is this lock "b b." so arranged that it may be turned either side out so far as the case is concerned?
A. It could be turned either side out, but is evidently designed for one side
(Lock "E. E. H. Spoon" shown witness)
15th You have stated that the side of this lock having the face bent down so as to form the Edge was the proper face or outside of the lock: State now which side was used as the outside as it was placed upon the gate from which you took it
A. The out or face side was placed upon the bars of the gate, which would be using what I call the outside for the inside

Chief Resumes

1st Is there anything in the finish of the lock marked "A A" which would render

it unsuitable, so as to adopt it for use
On either a right or left hand gate
A. Yes is
2d Then When you state that any lock which
has not a bevelled catch bolt may be attached
to a door or gate, did you mean that such
arrangment would not be suitable or
convenient?
A. I did not I meant it would be possible
to do it without regard to utility or convenience
3d In the same sense, would it not be possible
for St Marks Lock, "D. D" to be applied to a
door or gate wrong side out?
A. It would
4th If no regard were paid to appearance
or to the safety arising from the concealment
of the screws or fastening by which the locks
are put together, or the seams & joints of the
edges of the parts of the case, might not any
cased fastening or lock, the works of which
are covered on both sides, be fastened, either
side out, to a door or gate, provided there
were a hole for the admission of the key
on both sides?
A. Yes it might

5th Q. If a lock constructed & designed for application of one of its sides only to a door or gate were reversed as stated in the foregoing question so as to place it wrong side out, would it answer the purpose equally well as if turned right side out?

A. It would not answer the purpose equally well, either in appearance or safety for the same reasons assigned in my direct examination, with regard to the locks produced here by me.

W. Bullock

N. Sproul. Commissioner

Adjourned to meet at nine o'clock tomorrow Morning

Wednesday. March 23d. 1859. 9 o'clock A.M.

Present the Counsel of both parties, having met pursuant to adjournment.

James. H. McClelland affirmed;

My name is James H. McClelland; My residence Pittsburg: My occupation, a master builder and my age fifty years.

1st How long have you been engaged in your business?

A. Thirty years & upward, and have nearly all that time been engaged in building Stores

facturers &c

2d Are you acquainted with door locks con=structed substantially like Exhibit "G. G. 4. Spoul" that is to say, having both sides so constructed & finished as that either side is equally well adapted to be placed outside When the lock is attached to the door, common=ly known as Jamb-faced door locks?

A. Yes, I am. I became acquainted with these locks soon after they were produced by the Novelty works, known as Living=ston, Rogers & Co:

3d Have you made use of locks of this description?

A. Yes, I have. I have put on many of them.

4th What advantages do these locks possess over door locks in use prior to the introduction of these Jamb-faced locks by Livingston Rogers & Co:

A. They are adapted for right & left hand doors, thus obviating the care that was required in purchas=ing locks for any given building or series of doors, to see that they were for right & left hand, according as doors required. I did not know of any lock prior to that which had the

same advantages

5th Do you consider these locks to be a valuable invention, & of utility to the public?

A. I do

6th State whether or not these Iamm faced locks have gone into general use.

A. I can say they are extensively used

Cross examined by Mr Stowe

1st Would not any door lock so constructed as to allow either side being placed next the door when placed upon it for use, answer the same purpose?

A. Yes, that would be the same thing, either face answering; it would be just the thing we are talking about.

W. A. McClelland.

N. Spencer, Com.r

William M. Edgar, sworn:

1st What is your name, age, occupation and residence?

A. My name is William M. Edgar; my age about 50: residence Pittsburg, and house-builder by profession

2d. How long have you been in the business of of house-building?

A. About 35 years. I have erected a great many houses & buildings during that time
(Exhibit "G. G. H. Sprout" shown to witness)
3d Are you acquainted with door locks constructed substantially like "G. G. H. Sprout"? that is to say so constructed & finished as that either side is equally adapted to be placed outside when the lock is attached to the door, commonly known as Yanns faced locks?
State as near as you can recollect, when you first saw such locks
A. Am acquainted with such door locks? I believe I used them before 1845. I am not positive
4th Did you ever see any such locks in use before they were introduced by Livingston Bogden & Co.?
A. They were the first & only ones, I believe.
5th Have you made use of many of these locks in the construction of buildings?
A. Yes, I have used a good many of them.
6th Can you state whether or not these Yanns faced locks have been introduced into general use as door locks?
A. I think they have, as far as my knowledge goes

7th What effect has the introduction of these locks had on the price of door locks?
A. I think they reduced the price from what they were before. They are a cheaper lock than I had been in the habit of using before they were introduced
8th What effect do these Iaunus. face door locks possess over other door locks in use prior to the introduction by Livingston, Bogden & Co., other than the reduction of price?
A. They answer for a right & left hand door equally well
9th Make why
A. Because after we have put up a new building, we have to go round & ascertain which way the doors were to be hung; generally make a mark on the door jamb, either right hand or left, whichever answered best, & kept a memoran-dum as we went along, of the number of right & left hand locks required, & had to purchase accordingly - which had to be done, always before the introduction of these locks We had to make up our minds which way the doors were to be hung before we could purchase the hardware for the house, & this I

always considered a great disadvantage.
The introduction of the Sarus-faced lock obviated all these difficulties, without regard to them being right or left. I have had mistakes made by hardware men, & had to take back the locks to have them changed, which was some trouble
10th Do you or do you not consider these locks to be a valuable invention & of great public utility.
A. I do so consider them.

Cross Examined by Mr Howe
1st Would not any door lock made so that it could be placed upon a door either side out, answer the same purpose?
A. I think it would, made in this way, with a double bevel to the Spring Bolt that would be a lock exactly like this. That was the difficulty with the other locks; the bevel was only on one side.
2d Would these Sarus faced locks answer for right or left hand doors, if the catch bolts were bevelled only on one side?
A. No. without turning the lock up side down.

3d. Do these Jamms faced locks, so far as answering for right & left hand doors, have any advantage over the old-fashioned locks, without their having the double beveled bolt?
A. No I dont think they do
4th. Could not the old locks be placed upon either right or left hand doors by turning them up side down?
A. They would; that would place the Key-hole upside, which we always avoid when we can

Chief Resumed

1st. Supposing that these Jamms faced locks, instead of having a latch bolt shaped as that one in the exhibit "G. G. N. Smoul." had a latch bolt with a single beveled tongue, so made as to be reversible in the lock; then would not a lock so constructed & with a double face answer equally well for a right or left hand door?
A. Yes, it would.
2d. In answer to the 3d Cross interrogatory which was, "Do Jamms faced locks, so far as answering for right or left hand doors have any advantage over the old fashioned locks without their having the double beveled

bolt, "you said you did not think they did." Did you mean that you had seen two any old fashioned locks finished on both faces, so that either face was equally adopted for the outside?

A. I don't think I can did. I say the old fashioned locks had only one face which was intended to be exposed, & we could not put them on a door opening to a different hand from that for which the locks were made without turning them upside down. I say the old fashioned lock had only one face which was intended to be exposed, & we could not put them on a door opening to a different hand to that for which the locks were made, without turning them upside down, as one side of the lock was made to be placed outside, & the other side rough, & would not do to be placed outside.

Q. To your Q. 6 Cross interrogatory you say in answer you speak of a Double beveled bolt. Please explain what you mean by that; do you mean a blunt bolt,

slightly rounded on both sides?
A. I do. The old-fashioned bolt was beveled on but one side.

Wm M. Edgar

N. Spaul. Com?

R. T. Kennedy sworn:

(By consent, the writing down of interrogatories is waived, & Examination of Mr Kennedy proceeded with.)

My Name is R. T. Kennedy, my age is 47, years, & I am now engaged in a large flouring Mill. I was formerly a Hardware Merchant in Pittsburg, about twenty six years. My residence is now Allegheny City, near Pittsburg. I have dealt very largely in locks. have imported them from England. I have had large quantities manufactured in England Expressly for us. I was there when many of them were manufactured. I was in England in 1838. I am very well acquainted with the art of lock manufacturing in this Country previous to the last five or six years & partially since that time.

I have never seen any double faced bolts previous to those manufactured by Livingston Rogers & Co. nor have I ever seen any rounded bolts of the same kind: I mean rounded on the end of the bolt like the one now before me, Exhibit "G G. H. Smith". All former locks were beveled. beveled on one side only - that is the latch bolt

There was another lock, such as this one now before me, marked "H. H. Smith" with a key that worked either way (Mr Howe excepts to this evidence as irrelevant)

"This lock is constructed with a double key-hole, so that the lock may be turned either side up, so as to be used either for a right or left hand lock. It is not made to be used either side out. It has a single bevel & is not double faced, and is not finished or arranged so as to be turned either side out. This lock was manufactured at the Novelty works. I do not know by whom invented. I mean by the Novelty works, the works of Livingston,

Roggen & Co:

(Lock marked "K. K. H. Sprout."
Shown to witness)

This is a lock. Latch & will answer for either right or left hand lock; with two Key holes one of which is always under Knob so that the lock can be turned either right or left. This lock is not constructed so as to be turned either face out, It has two Keyholes on one side & one on the other. The side with one Keyhole is the one designed for the face out. The other side is not adapted to be faced out. This lock I believe to have been manufactured by the Novelty Works, but I am not sure. I never dealt in this lock.

(Lock marked "J. I. H. Sprout," Shown, "to witness).

This lock has two Keyholes but a single bevel latch bolt. The two Keyholes are for the purpose of using it either as a right or left hand lock. The Key can always be put in right side up, and always under the Knob, which enables it to be used as either a right or left hand lock conveniently. This lock can be used but one side out. Those locks marked J. I. K. K. and H. H. were all introduced

previous to Jamus-faced locks.

The object of these locks was to enable them to be used conveniently as right or left hand locks. Some locks were used so before, but had to be turned upside down, but this was very inconvenient, and some of the old locks could not be so used at all.

The Jamus-faced lock is a decided improvement over all the old locks, and also on those locks which I have just referred to, marked R. R. L. L. and H. H. I know of no further improvement in locks since the introduction of the Jamus faced lock, in right & left hand locks, which I consider better than them. The locks are very much reduced in price since the introduction of the Jamus-faced lock These locks can be made cheaper than any other right & left-hand lock that I have seen. The simplifying the lock has very much reduced the price of manufacturing locks very considerably

The Jamus-faced lock principle has lessened the cost of manufacturing, & simplified the construction of right & left hand locks very materially. The introduction of the Jamus-faced lock has reduced the price - has driven almost

all other low priced locks out of the market. A dead lock is a lock without either knob or latch bolt. (Respondents counsel here objects to so much of the foregoing testimony as relates to the locks marked I. I. K. K. & H. H. & also to the locks themselves being offered in evidence, as being irrelevant to the matter in issue.)

2. If the bolt of a dead lock is nearer one side of the case than the other, would the lock be equally adapted to doors opening either to the right or left if turned either side out.?
A. Not without changing the position of the keeper by either sinking it in or raising it up.

N. Sprout, Commissioner R. J. Kennedy

Adjourned, to meet tomorrow morning at 8. o'clock

Thursday Morning, March 24th 1859
8. o'clock - Parties met pursuant to adjournment
Present the counsel of both parties:

The counsel for the defendants admit that locks similar to the lock's. Exhibits "K. K. I. I. H. H. H. Sprout" were taken up at the Novelty Works of Livingston, Rogers & Co: previous to

the year 1850, and were manufactured and sold by Livingston, Boggen & Co.

Turner Shobridge Sworn.

1st Dale What is your name, age, residence & occupation.

A. My name is Turner Shobridge, My residence, Pittsburg: My age 32. years and occupation, pattern maker

(Locks Marked "Exhibits EE. BB. CC & Small" Shown to Witness)

2d. Dale What description of locks those are

A. They are the old fashioned wrought iron dead locks.

3d Dale Whether those locks are such as are made for door locks; & if not Dale for what purpose such locks are made.

A. I should call these gate locks, from the manner of their construction & manner of fastening them on

4th Dale Whether those Lock are so constructed & finished as to be adapted equally well for doors opening either to the right or left.

A. They might possibly be made to work either way: but you would have to make two separate Keepers. The bolt not being in the centre, a-

Keeper that would fit that lock (Witness has that Lock L.C. in his hands) one way, when the lock is reversed would not fit: the Keeper would have to be made wider, or the bolt would strike the Keeper & not enter. A Keeper that would allow that to work when placed either way, would allow the door to rattle, and not hold the door shut as it ought to be.

5th Male whether there is anything else in the construction and finish of those locks that renders them unsuitable to be placed either side out.

A. This Lock L.C. is only finished on one side the rivet heads stick out on the inside, & the case is turned over on one side, and the plate is put flush on the back side without respect to finish.

Lock marked B.B. has a flange on the back edge, which would prevent it from being used either side out, and the lock is only finished on one side.

Lock marked E.E. has a plate on one side which would prevent it from being used either side out, This lock is so finished that it is not fit to be used either side out on a door - I mean it is a very rough specimen of a lock

Friday February 5th 1864. (Continued.)

(Lock D.D. & A.A. shown to witness)

6th State whether any of these locks marked A.A. B.B. C.C. and E.E., are so constructed & finished as to warrant the supposition that they were designed by the maker or makers of them to be applied to doors opening to the right or left.

A. I should say that they were not made for both right & left hand doors, neither any of them.

Cross Examined By Mr Howe

1st You have stated that the lock marked Exhibit EE. has a plate on one side which would prevent its being used either side out. State to what you refer.

A. The plate on the Edge which is marked to it

Chief Clemmes.

1st For what purpose is the plate riveted on the Edge of the lock?

A. For a support. This is a great lock, & that plate was put on for a support & to strengthen the case.

Turner Sprague

H. Sprout. Com.r

Augustus H. Ahlborn sworn

1st What is your name, age, residence & occupation?

A. My name is A.H. Ahlborn: My residence, Lawrenceville: age Nearly 40: Occupation, Scale

Maker

2nd Have you been in the habit of seeing and examining door locks?

A. I have; and made some two. Myself Exhibits A.A. B.B. C.C. D.D. & E.E., here shown to witness.

3d. State whether any of these locks are so constructed & finished as to warrant the supposition that they were designed by the maker or makers of them to be applied to doors opening either to the right or left.

A. I do not think they were.

A.H. Ahlborn

H. Spaul. Com.r

John T. Logan sworn

1st What is your name, age, residence & occupation?

A. My name is John T. Logan: My residence is Allegheny City: My age about 49, My occupation, hardware merchant since 1831.

2d. Have you or have you not dealt in locks; & if so, for what length of time, & to what extent?

A. I have been engaged in business of buying & selling locks, with other hardware. from 1831, to the present time & have dealt largely in locks, & have imported them from England & Germany in the

early part of our business

3d Have you been acquainted with the Mode of Manufacture of Locks in England, and have you visited that Country?

(Objected to by Respondents Counsel as irrelevant)

A. I have visited England for the purpose of my business, during which I purchased Locks of Various Kinds and am acquainted with the art of Manufacturing Locks in England. The object of my visit was to become acquainted with the Manufacture of hardware as well as the different Kinds of hardware

4th State Whether, since you have been in the hardware business, you have been acquainted with the different Kinds of door Locks manufactured in this Country?

A. I have, I presume the most Kinds made in this Country

(Exhibit C.C. A. Shown to witness)

5th State Whether you have been in the habit of selling door Locks Constructed substantially like the Lock now shown to you - that is having both sides so constructed & finished as that either side is equally well adapted to be placed outside when a Lock is attached to a door; & from

Whom you purchased these locks.
A. I have, from Livingston, Boggen & Co: and subsequently from Livingston Copeland & Co: I have purchased & sold them for several years.
6th Was that Kind of lock considered by yourself & by your customers generally to be superior to door locks in use previous to the introduction of these Janus-faced locks by Livingston, Boggen & Co.
A. In its adaptation to the wants of the people it was considered superior, inasmuch as it suited both sides of the door - that is, it was adapted to a door opening either right or left.
7th What effect has the introduction of these locks on the sale of other door locks, which were not Janus-faced?
A. It has nearly superseded the sale of all others of the same quality
8th State whether, previous to the introduction of these Janus faced locks by Livingston Boggen & Co: you ever saw any door locks so constructed & finished as that either side was equally well adapted, or apparently intended to be placed when the lock is attached to the door.
(Objected to by Respondents Counsel, as

being immaterial, being merely negative
testimony)
A. I know of none
9th State whether you recollect of any efforts
made by Livingston, Boggan & Co. to get up
Mortise face locks so constructed as to be used
either for right or left hand doors, and yet
not Jamms faced locks.
(Objected to as irrelevant)
A. I do not recollect such an Effort.
(Exhibits N. H. B. B. & J. J. shown witness)
10th State what these Exhibits are
(Objected to as irrelevant)
A. These exhibits were intended to be used
for right & left hand doors, I recognize them
as locks got up by Livingston, Boggan & Co:
previous to the introduction of the Jamms faced
locks & none of these locks are Jamms-faced
11th State whether you sold locks of the description
shown by these exhibits referred to in your last
answer, & what effect the introduction of the
Jamms-faced locks had upon the sale of these locks
(Objected to by Respondents Counsel as irrelevant)
A. I have sold such locks. The Effect has been nearly
if not entirely to supersede them.

12th State whether those Janus faced locks have been extensively sold by Livingston Copeland & Co.
A. They have been sold in large quantities to the hardware trade generally.
13th State whether or not you consider this invention of the Janus faced lock a valuable one, & of great public utility.
A. I do consider it a valuable invention & to meet the wants of the hardware trade.
14th State whether you know of similar locks to the Janus faced locks having been manufactured & sold by the respondents in this case: and if yea, state, if you know, what effect it has upon the business of Livingston, Copeland & Co:
A. I know of no such locks having been made by respondents. Do not know its effect, but suppose it to be injurious.

Cross Examined by Mr Stowe

1st When you speak of the respondents manufacturing, Janus-faced locks, do you mean such locks as the one marked "G G. H. C Smoul," & having a blunt bolt & bevel keeper?
A. I mean a lock similar in appearance, and intended to answer the same purpose, with a similar bolt-

John F. Logan
H. Spoul. Com?
Adjourned to meet at 2 o'clock P.M.
Complainant offered in evidence Letters patent dated 1st May 1849. to Laureston R. Livingston, John I. Roggen & Calvin Adams, for improved right & left hand locks, and attached thereto additional improvements, dated 5th June 1849, marked "H. H. Spoul."
(Objected to by Respondents Counsel as being immaterial & irrelevant)
Adjourned to meet at 10 o'clock tomorrow morning.
Friday morning March 25. 1859. 10 o'clock
Met pursuant to adjournment, & by Consent adjourned to meet tomorrow morning at 11. o'clock
Saturday. March 26th 1859. Parties met & by Consent adjourned to meet on Monday next at 10 o'clock A.M.
Monday March 28th 1859 10 o'clock A.M.
Parties met pursuant to adjournment & by Consent adjourned to meet at 10. o'clock tomorrow morning

Tuesday, March 29. 1859 Parties met pursuant to adjournment, & by consent adjourned to met to morrow morning at 10. oclock

Wednesday March 30th 1859 Parties met pursuant to adjournment. Present the counsel of both parties.

Complainants offer in evidence Exhibit "J P. H. Sprout" being certified copy from the records of the Patent Office, of letters patent issued to John P. Sherwood Dec: 17. 1842.

Also offer in evidence certified copy from the records of the Patent office of the application of Calvin Adams, assignee of John P. Sherwood, for reissue of Sherwoods patent of Dec? 17. 1842 reissued to Adams, May 13th 1851. marked "R. R. H. Sprout complainants also offer in evidence certified copies from the records of the Patent office, of letters patent reissued to Calvin Adams, assignee of John P. Sherwood, on May 13th 1861 marked "SS" H. Sprout"

Complainants offer in evidence a lock

marked "T. J. H. Stroud," purporting to be a model of lock described in the specification and drawings of letters patent granted to John P. Sherwood 14th Dec. 1842. and the several reissues & Extensions thereof

Turner Stobridge recalled

Q. State whether you are acquainted with letters patent granted to John P. Sherwood, 17 Dec. 1842. reissued to Sherwood 7th Oct: 1856. & Extended on the 15th Dec: 1856.

A. I am

(Exhibit "T. J." shown to witness")

Q. State if you have seen that model. If so, by whom was it made?

A. I have, and it was made by Jacob Kinzer.

Q. State whether or not that model was made in accordance with the drawings & Specification accompanying John P. Sherwoods patent of 17th Dec: 1842 & the reissue & Extended patent.

A. I Consider this model just what Sherwood described, as near as any

one could make it from the drawings.
2. Dale whether you was present when the model was made, & whether you carefully compared the model with the drawings of the patent.
A. I was present when it was made & carefully compared it with the drawings.
H. Sproul. Com? Turner Strobridge.
March 31st 1859. testimony on the part of the complainants closed
H. Sproul. Com?

Agreement
U. S. Circuit Court No 1. May Term 1858.

Livingston Copeland & Co:
vs In Equity
Jones Wallingford & Co

It is hereby agreed by the complain=ants & respondents in this case that the question of the amount of damages sustained by the complainants in this case shall not be further gone into in taking testimony in the case until a

decision of the Court on the question of the infringement; after which the testimony on the subject of damages shall be taken, if necessary, according to the order & direction of the Court, before a Master.

Howe & Hampton
Solicitors for Respondents
Wm Bakewell
Solicitor for Complainants

March 24th 1859

Exhibits

Exhibit "L L. H. Sproul"

United States of America.

To all to Whom these Letters patent shall come:

Whereas Lauriston P Livingston, John Day Boggen & Calvin Adams of Pittsburg, Pennsylvania, have alleged they have invented a new and useful improved right or left hand lock, which they state has not been known or used before this application have made oath that they are citizens of the United States; that they do verily believe

that they are the original & first inventors or discoverers of the said lock; & that the same hath not, to the best of their knowledge & belief, been previously known or used; have paid into the treasury of the United States the sum of thirty dollars, and presented a petition to the Commissioner of Patents, signifying a desire of obtaining an exclusive property in the said lock, & praying that a patent may be granted for that purpose.

These are therefore to grant according to law to the said Lawreston R. Livingston, John Jay Rogers & Calvin Adams, their heirs, administrators or assigns for the term of fourteen years from the first day of May, One thousand eight hundred & forty nine, the full & exclusive right & liberty of making, constructing, using, & vending to others to be used, the said lock, a description whereof is given in the words of the said Livingston, Rogers & Adams in the Schedule hereunto annexed, and is made a part of these presents.

In testimony whereof I have caused these letters to be made Patent

and the seal of the patent office has been hereunto affixed. Given under my hand at the City of Washington, this first day of May, in the year of our Lord one thou=sand Eight hundred & sixty nine, & of the independence of the United States of America the Seventy third.

D. C. Goddard
Acting Secretary of the Interior

Countersigned & Sealed with the seal of the Patent Office. Edmund Burke
Seal of the Patent Office
Commissioner of Patents

The Schedule referred to in these Letters patent making part of the same

To all Whom it may Concern.

Be it known that we, Samuelson B. Livingston, John Jay Boggen and Calvin Adams, of the City of Pittsburg, in the County of Allegheny & State of Penn=sylvania, have invented a new & use=ful improvement in door locks

and we do hereby declare that the following is a full, clear & exact description of our said invention, reference being had to the accompanying drawings, which form a part of the specification

The principle of our invention is that of constructing a lock in such a manner as to allow of its being used equally well on a door opening either to the right or to the left hand, & of being in both cases locked & unlocked by the key inserted in the keyhole, with its wards downward.

Our modes of accomplishing this object vary according to the number & arrangement of the bolts or catches which we desire to insert in our locks. In figures 1. & 2. is represented a mortise lock, with the catch or catch serving also as a locking bolt, & in figures 3. 4. & 5. is represented an outside lock, having the bolt for locking the door a separate piece from the catch. In both cases the principle above stated is carried out in the following ways:

In figures 1. & 2. are seen the perspective views of the interior of the mortise lock; in A. is the frame containing the moveable

parts of the locks.

This frame is a plain rectangular box which we usually form of a single casting Excepting the lid. It has three small flanges A. B. & C. projecting outward from the inner side to the extent of the thickness of the lock, & against these work the several parts constituting the moveable Machinery of the lock. B. is the bolt having an arm C. bent twice at right angles, & two projections f. & f, adapted to receive the pressure of the two wings. g. & g. on the tumbler F. through this tumbler passes the square shank of the knob H.

At the forward part of the bolt B. is a point i, extending backward from the arm j, & entering the coiled Spring D, which when the catch is drawn back by turning it either direction, the tumbler F. by its recoil tends again to push forward & close the catch. The opposite end of the same coiled Spring is entered by another point K. forms on a notched sliding piece. This sliding piece is held in position by the sides of the box A. & the small flange C.

C. is a sliding bolt in figure

F. intended to obstruct the movement of the catch bolt B. When the bolt C. is drawn into the position seen in that figure, the projection b on the bolt B. is allowed to pass & repass freely by the lower end of C. in obedience to the movements of F.

In figure 2, the bolt C, sliding against a < C, has dropped into the notch between C. & C, & prevents the drawing back of B by the revolving of F. In this position the door is locked.

The Keyhole H. has a similar portion of a circle at each end, & a straight post between them, so that the stem of the key may be inserted into either end of the Keyhole.

If the stem be inserted in the upper end of the Keyhole, Fig. 1, the wing applies its pressure to the sides of the notch n, in order to move the bolt C. if it be inserted in the lower end of the hole, the wing passes into the notch O, as in fig. 2. the lock is seen in a reversed position the stem of the key m, when inserted in the lower end of the Keyhole h, will allow the wing n to pass into the notch n, and when into the upper end to apply to the notch O.

In the lock adapted to be fastened to the outside of a door, our principle is exemplified

=fied by reference to figures 3, 4, & 5. The bolt
T. is moved by the tumbler F. without reference
to the position of the locking bolt U. the catch
bolt in this case drawn forward & kept project
=ing beyond the edge of the door by the spring
S. acting by tension, and not, as in the other
case, by compression. The bolt U. above is
acted on by the key M. fig. 4. inserted into
either end of the keyhole K. so as in turning
around to carry the wing V. either into the
notch N. or into O. On the rear of the cross-
piece of the bolt U. is a projecting pin
W. serving as a stop to prevent the bolts
being pushed backwards when thrust out
by the key. This stopping is effected by
means of a corresponding projection Y on
the swinging stop T. figs. 3, & 5, which pro-
jection is wedge-shaped posteriorly, & has a
concavity on its anterior sides to receive
the edge of the pin W. when brought & held
against it by the spring S. A projection
Z, on the wing of the key M, is intended to
move the swinging stop T. upward or downward
prior to moving the bolt U. This movement
allows the pin W. to pass by the projection Y

which had previously confined it & kept the door locked.

An important advantage which we obtained by the above described improvement, is that of being able to place the same lock on a door opening either to the right or the left hand, & in either case being able to lock & unlock the door by inserting the key into the Keyhole with the wing downward.

What we claim as our invention, & desire to secure by Letters Patent, is constructing a door lock in such a manner as to allow its being used equally well on a door opening either to the right or to the left hand, by means of a key hole that will admit a key within the lock in reversed positions, in combination with such arrangement of the movements of the lock as will enable the key to operate the same tumbler and bolt in whichever position it may be inserted within the Keyhole

L. R. Livingston
John Day Roggen
Calvin Adams

The above specification and claim signed in presence of witness -

William D. Hood
Stephen Jarvis

Additional improvements

To all whom it may concern:

Be it known that we, L. B. Livingston. J. J. Boggen & Calvin Adams, of Pittsburg, in the County of Allegheny & State of Pennsylvania, have invented an additional & valuable improvement on the right & left hand door lock patented by us on the first day of May, 1849, and we do hereby declare the following to be a full & exact description thereof, reference being had to the accompanying drawings making a part of this specification:

In this our improved right & left hand lock are two keyholes, F. F. which are placed in reversed positions, one near the top & the other near the bottom of the lock, & we give the tumbler C and bolt B. respectively, such forms & such a combination with each other, in reference to the said keyholes, that they may be operated by a key inserted into either of the keyholes. By this

construction of the lock, it can be placed upon a door opening either to the right or left, and receive its key right side up in either situation. The key is also admitted into the lock directly below the knob.

We find that this lock is more simple in construction, and much more convenient in use, than our right & left hand patented lock above referred to.

In the accompanying drawings fig. 2 is a plan of the lock with the back plate of the case & the bolt removed. The two flat plates, b b, which are so connected as to form the lumber, are of the shape and combined in the manner represented in fig. 2. & are placed against the inside of the front plate A. of the lock case; m m, are fulcrum pins projecting from the front plate (A) of the lock case, through holes in the elbows of the lumber plates b b. The ends of the plates b b, that project inward from the fulcrum pins m, m, are connected centrally between the fulcrum pins by a movable, self adjusting joint, and the opposite ends of b b, are connected by & pressed outward by the spring D. The coiled Spring D is kept in its

place by the points k k, projecting from the inner sides of the extremities of the tumbler plates b b; into the ends of the springs ii are points projecting from the upper sides of the tumbler plates. B is the bolt from which branch off the two arms bb, of the form represented in fig. 1. The branches bb, rest against the tumbler plates bb, & are guided in their movement, as the bolt is moved out and in by the lugs hh, that project from the plate A of the lock case. When the bolt is within the lock, the points ii, that project from the tumbler plates, are forced into the notches gg, in the inner sides of the bolt arms bb, (by the action of the spring D) which securely hold the bolt in its place. When the bolt is thrown forward the points ii are forced into notches at the inner corner of the ends of the bolt arms bb, and retain the bolt securely in this position, as represented in fig. 1.

The key operates upon the tumbler & bolt in the following manner: When the key is turned in either of the key holes E E, it first strikes against the outer edge of

one of the tumbler plates b. b. and thereby forces back the nibs of both tumbler plates simultaneously a sufficient distance to detach the points ii from the notches in the inner sides of the bolt arms before the wing of the key strikes against the sides of the notches ff, in the outer edges of the bolt arms bb, and move the bolt out or in.

It will readily be perceived from the form of the tumbler plates b b, and the manner in which they are combined with each other, that any motion imparted to one of them will produce a correspondent movement of the other. The hole E in the front plate of the lock case is for the admission of the shank of a knob, and the opening N, in the edge of the lock case is for a latch bolt to play back & forth in. The latch movements, having no connection with the lock movements, are not represented in the drawings, and need not be further referred to in the specification.

What we claim as our invention, & desire to secure by additional Letters Patent, is the constructing a lock tumbler of two parts b b. of

such a form. and combined with each other and with the arms bb, of the lock bolt in such a manner, in relation to the key holes ff. places in reversed positions near each end of the lock, that a key will operate the tumblers and bolt equally well when inserted into either of the said keyholes, substantially in the manner herein set forth.

Witnesses:
L. C. Robbins
R. W. Wilcox
Henry Jones
Geo. A. Nugent

L. B. Livingston
I. I. Boggen
Calvin Adams

I hereby certify that the foregoing additional schedule has, this fifth day of June, 1849, been duly annexed to the original patent of L. B. Livingston, I. I. Boggen, & Calvin Adams, and that the same is duly recorded on the book of the Patent Office, and that fifteen dollars, the duty by law required, has been paid into the treasury of the United States

(Seal of the Patent Office) Thomas Ewbank
Commissioner of Patents.

Exhibit "P.P. H. Sprout."

The United States Patent Office

To all persons to whom these presents shall come, greeting:

This is to certify that the annexed is a true copy from the records of this office of Letters Patent issued to John P. Sherwood. Dec. 17. 1842

In testimony whereof, I, S. T. Shugert, Acting Commissioner of Patents, have caused the seal of the Patent Office to be hereunto affixed, this 15th Day of March, A.D. 1859, and of the Independence of the United States the Eighty-third

(Seal of the Patent Office) S. T. Shugert.

The United States of America

No. 2.886. To all to whom these Letters patent shall come:

Whereas John P. Sherwood, Sandy Hill, New York, has alleged that he has invented a new & useful improvement in door locks, which has not been known or used before his application; has made oath that he is a citizen of the United States; that he does verily believe that he is the original & first inventor or discoverer of the said improvement, and that the same hath not, to the best of his knowledge and belief,

been previously known or used; has paid into the Treasury of the United States the sum of thirty dollars, and presented to the Commissioner of Patents a petition signifying a desire to obtaining an exclusive property in said improvement, & praying that a Patent may be granted for that purpose:

These are, therefore, to grant according to law, to the said John P. Sherwood, his heirs, administrators, or assigns, for the term of fourteen years, from the seventeenth day of December, one thousand eight hundred and forty two, the full and exclusive right and liberty of making, constructing, using, & vending to others to be used, the said improvement, a description whereof is given in the words of the said John P. Sherwood, in the schedule hereunto annexed, and is made part of these presents.

In testimony whereof, I have caused these letters to be made patent and the seal of the Patent Office has been hereunto affixed.

(Seal of the Patent Office)

Given under my hand, at the City of

Washington, this 17th day of December, 1862, & of the Independence of the United States of America the Eighty-seventh.

Daniel Webster
Secretary of State.

Countersigned & Sealed with the Seal of the Patent Office
Henry L. Ellsworth
Commissioner of Patents.

The Schedule referred to in these Letters patent & making part of the same.

To all whom it may concern:

Be it Known that I, John P. Sherwood, of Sandy Hill, Washington County & State of New York, have contrived & invented some new & useful improvements not known or used before in the construction & manufacturing of door locks, & the following is an exact description thereof:

Every part of my lock may be made of cast iron, and for the most parts it is the cheapest material.

My first improvement is in the case C, figure 6. Which I make double faced: Each face projects over the side & back end. The front end has no lip or projection like ordinary iron cases, but its edges are plain & covered by the two face plates.

The aperture for the bolt in the front end of said lock is as wide as said end, so that the moulder may dispense with setting a core & a stay, (marked S. (with two screw holes through it) from 3/4 to 1/2 inches wide, & from 1 1/2 to 3 inches long, rises on the lower front corner of each face, protecting the bolt hole. This improvement facilitates & cheapens the casting of a case, by lowering the sides & ends, & doing away with the setting of a core. It also fits every outside case for either a right hand or left door, without turning the lock upside down, & it renders the lock stronger & more durable. A glance at the drawing shows its peculiarities & their use. The inside of the case is cast with common fixtures, such as friction plates, studs, & braces, to keep the bolt & other detached pieces in their respective places.

My second improvement is in making the bolt with notches, one on its lower, & one exactly similar on its upper edge, so that in connexion with its vibrating or connecting bar A, a horizontal motion is given to the bolt, & also adapts it, by simple reversion, to a right or left

hand door. Each is cut perpendicular, & extends through one third part of the bolt, reducing the bolt in the centre, between the two notches, to one third of its original size.

Figure 1. shows the bolt with its two circular & opposite notches, a a, its back end b perforated so that it may pass a screw, & its front end c. bevelled to make one bolt answer for both lock & latch.

Figure 2. exhibits the vibrating or connecting bar A for moving the bolt, which is of a very irregular shape, and nearly fills the upper half of the case. Its lower front corner d. projecting downward, is made to fit the notch a in the top of the bolt, for the purpose of moving or fastening the bolt at pleasure. At its upper front corner, e shows a small hole for a screw on which it vibrates, & near by, f shows a larger one for the handle. Nearly all of the back end of this bar is made quite thin, as at A^2, leaving space between it & the case, on one side for one sliding bar or impelling weight, and on the other side for two sliding bars hereinafter described. On each side of the bar are three studs. g, h, i, in height equal to the original

thickness of the bar and a curved key guard k, not quite as high as the studs which shield the locking cam. Stud g is at the lower back corner h, near the centre, and i above the back of h. Each stud on one side has a corresponding stud, similar & similarly situated on the opposite side; h, & l. form an inclined track or way, l, being placed obliquely above h, toward the front end of the case, and as the corresponding studs on the opposite side of the bar form a similar track or way, we have a double inclined track or way for the safety cars (hereinafter described) to pass up & down. A little above the corner stud g, a notch l opens from the back end of the bar toward a point below the centre stud h, a passage way for the stud m, of double-acting locking cam B, hereinafter described.

Figure 3. represents the double action locking cam B, of which the exact form can only be learned from a model or drawing. It is a thin plate, with a stud m, near one corner on one side, and a much shorter stud directly opposite, on the other side. These

studs add power to this car, and connect it with safety cars, G G, hereinafter described, in a way that holds the three cars fast together when locked. The largest notch, W, gives room for the double action locking car B, passing stud H, of the connecting bar A. The sides of this notch N are in one part horizontal, and in another oblique or inclined In one part of its movement on the studs h & g of said connecting bar it is horizontal & in another inclined. The h, & g, of the vibrating or connecting bar A. thus becomes, at different periods, a horizontal and an inclined track or way for the locking car B to move upon. The male notch O admits the key (figure 5) by which the car is moved, an acute angular projection p, near stud m, catches under a stud D. on the side of the case E when locked, as seen in figure 8, & fastens to the car. The locking is effected by a compound & backward movement of this car B, which is new & peculiar to my lock. Another car exactly like this, with similar action, may be attached to the other side of the connecting bar, if greater security be desired. L (figures 4 & 7) shows the shape of

the two safety cars, which are exactly alike, excepting one (G^2 figure 7) is twice as thick as the other, and the thicker one has a groove H, over the key guard k of the connecting bar A. A notch g in each of these cars GG^2 receives one of the studs M, of the locking car D when unlocked, as seen in figure 6, and 2, is a long opening for the studs h & i of the connecting bar. In size one of these cars G is nearly twice as large as the locking car D; one is on each side of the connecting bar A. The double action locking car lies in a cavity of the connecting bar, and under the thinnest safety car G^2.

The safety cars always move on the double inclined track or way before described, & in a direction opposite to that of the locking car; they add strength & stability to the lock=ing car, and prevent the locks being picked.

In the process of locking, the key is turned back instead of forward, as in other locks; the safety cars are simultaneously to their utmost height; the double=action locking car then moves horizontally

a short distance, after which it descends toward the back end of the case upon its inclined track or way, formed by studs h, & g, the safety Cam at the same moment descending toward the front end of the case on the double inclined track or way formed by studs k & i before described, until each reaches its lowest point, and there all three combine in firmly holding both the vibrating or connecting bar & bolt fast- as represented in figure 2, which shows the bolt as locked, the projection p being locked under the stud D, and the safety cam G having dropped down behind stud M, which locks the whole together; to unlock the bolt, the safety cam G must be first raised.

Figure 5 represents the form of the key; in locking, the aperture V V. of the key passes around the guard K of the connecting bar A, & the bit N raises the safety cam G, while at the same time the bit t entering the notch O of the double acting locking cam B, at first horizontally, & then in a descending backward oblique or inclined direction, until the projection of the cam becomes fast under and against stud D, & holds the con=necting bar A & bolt C stationary. In unlocking

a reverse movement is necessary, first raising the safety cars, as before stated.

What I claim as my invention, & for which I desire to secure an exclusive right by Letters Patent, is this, Viz: I claim the peculiar construction & double action (upon an inclined or horizontal track or way) of the locking car B and safety cars GG' with one another, and with the connecting or vibrating bar or beet A, as within described, so as to fasten the both & securely & prevent its being picked.

John P. Sherwood

Witness
W. T. Sherwood
John Newton

Exhibit "B R. H. Sprout."

The United States Patent Office

To all persons to whom these presents shall come,
Greeting:

This is to certify, that the annexed are true copies from the files & records of this Office of the papers, with the Patent as issued, in the application of Calvin

Adams, assignee of J. P. Sherwood, for a reissue of Letters patent issued to Sherwood, December 17th 1842, upon which application Letters patent were reissued to Adams, May 13th 1851; the Copy of the Specification showing the erasures, interlineations & marginal writing in ink & pencil, as they appeared in the original.

In Testimony whereof I, S. T. Shugert, Acting Commissioner of Patents, have caused the Seal of the Patent Office to be hereto affixed this 15th Day of March, A.D. 1859. and of the Independence of the United States the Eighty third.

(Seal of the Patent Office) S. T. Shugert.
Acting Commissioner

To the Honorable Commissioner of Patents:

The Petition of Calvin Adams, of Pittsburg, in the County of Allegheny & State of Pennsylvania, respectfully represents:

That the within named John P. Sherwood was the original & first inventor of certain new & useful improvements in locks, for which Letters patent of the United States were granted him on the 17th day of December, A.D. 1842.

That by an instrument in writing, duly executed & recorded in the Patent Office, the whole of the right, title & interest in & to said patent is assigned to your petitioner.

That your petitioner now believes the said letters patent to be inoperative & invalid by reason of a defective specification, which defect has arisen from accident, inadvertence or mistake. He therefore prays that he may be allowed to surrender, & hereby does surrender the same, and requests that new letters patent may be granted to him for the residue of the term for which the original patent was granted, upon the amended specification herewith presented; he having paid fifteen dollars into the treasury of the United States, and complied with other provisions of the said act.

Calvin Adams

County of Washington
District of Columbia, ss.

On the 31st day of May 1851, before the subscriber, a justice of the peace

in & for said County, personally appeared the within named John P. Sherwood, & made solemn affirmation that he verily believes himself to be the original & first inventor of the within described improvements in locks; & that he does not know or believe that the same was ever before known or used, & that he is a citizen of the United States

C. S. Smith
Justice of the Peace

City and County of Washington
District of Columbia, ss.

On this 26th Day of March, A.D. 1851, before the subscriber, a justice of the peace for said City, personally appeared the within named Calvin Adams, & made solemn oath that he verily believes the within named John P. Sherwood to be the original & first inventor of the herein described improvements in locks for doors; that he does not know or believe that the same was ever before used or known; and that both he & said Sherwood are citizens of the United States

T. C. Down, J.P.

To all Whom it may concern:

Be it Known that I. John P. Sherwood, of Sandy Hill, Washington County, and State of New York, have Contrived & invented some new & useful improvements not Known or used before, in the Construction & Manufacturing of door locks, or Cased fastenings, in Which the movements are contained between the sides of the case, & the following is an exact & full description thereof, Reference being had to the accompanying drawings, Which form part of this Specification. Every part of my fastening may be made of cast iron, & for the most parts it is the cheapest Material.

My first improvement is in the case E, fig: 6, Which I make double faced; each face projects over the sides & back end; the front end has no lip or projection on, like ordinary iron cases, but its edges are plain & covered by the two face plates; the aperture for the bolt in the front end of said lock is as wide as said end, so that the mandrel may dispense with setting a core. And a stay, marked S.

(with the screw holes through it) from 3/4 to 1/2 inches wide, and from 1/2 to 3 inches long, rises on the lower front corner of each face, modelling the bolt hole. This improvement facilitates and cheapens the casting of a case by lowering the sides & ends, & doing away with the selling of a core.

It also fits every outside case, for either a right or left hand door, without turning the lock or latch upside down; and it renders the lock stronger and more durable. A glance at the drawing shows its peculiarities & their use.

The inside of the case is cast with common fixtures, such as friction plates, studs & braces, to keep the bolt & other detached pieces in their respective places. My second improvement is in making the bolt with notches, one on it lower & one exactly similar on it upper edge, so that, in connection with the vibrating or connecting bar, A, a horizontal motion is given to the bolt, and also adapts it, by simple reversion, to a right or left hand door. Each is cut perpendicularly, & extends through one third part of the bolt, reducing the bolt in the centre, between the two notches, to one third its original size.

Figure 1. Shows the bolt with its two similar and opposite notches a a, its back end b, forked so that it may pass a screw, and its front end, c, bevelled to make one bolt answer for both catch and latch.

Figure 2. Exhibits the vibrating or connecting bar, A. for moving the bolt, which is a very irregular shape, & nearly fills the upper half of the case. Its lower front corner, d, projecting downwards, is made to fit in the notch, a, in the top of the bolt, for the purpose of moving or fastening the bolt at pleasure. At its upper front corner e shows a small hole for a screw on which it vibrates, and near by f shows a large one for the handle. Nearly all of the back end of this bar is made quite thin, as at g? leaving space between it and the case on one side for one sliding cam or impelling weight, & on the other side for two sliding cams, hereinafter described.

On each side of this bar are three studs, g. h, i, in height equal to the original thickness of the bar, and a curved key guard, k, nst quite as high as the studs,

Which closed the locking car. Stud g, is at the lower back corner h near the centre, and i above and back of h. Each stud on one side has a corresponding stud, similar & similarly situated, on the opposite side; h and i form an inclined track or way, i being placed obliquely above h toward the front end of the car, and as the corresponding studs on the opposite side of the car form a similar track or way, we have a double inclined track or way for the safety cars (hereinafter described) to pass up & down. A little above the corner stud, g, a notch, l opens upon the back end of the car toward a point below the centre of stud h, a passage way for the stud m, of the double-action locking car B, hereinafter described.

Figure 3 represents the double-action locking car B, of which the exact form can only be learned from a model or drawing. It is a thin plate with a stud m near one corner on one side, and a much shorter stud directly opposite on the other side. These studs add power to this car and connect it with safety cars C C, hereinafter described, in a way that holds the three cars fast together when locked. The large notch n gives room for the double action locking car B passing the stud h of the connecting

bar A. The sides of this notch n are in one part horizontal, & in another oblique or inclined. In one part of its movement on the studs h & g of said connecting bar it is horizontal, & in another inclined. The studs h & g of the vibrating or connecting bar A thus become at different periods a horizontal & an inclined track or way for the locking car B to move upon. The small notch o admits the key (fig. 5) by which the car is moved. An acute angular projection p, near stud n, catches under a stud E, on the side of the case D, when locked (as seen in fig. 8) and fastened to the car.

The locking is effected by a compound backward movement of the car B, which is next to the door in my lock. Another car, exactly like this, and with similar action, may be attached to the other side of the connecting bar if greater security be desired. G (figures 4 & 7) shows the shape of the two safety cars, which are exactly alike, except that one, G^2 (fig. 7) is twice as thick as the other, and the thicker one has a groove H, over the key guard K, of the corner

bar A. A notch g in each of these cars gg2 receives one of the studs m, of the locking bar B, When unlocked, as seen in figure 6; & 2, is a long opening for the studs h & i. Of the connecting bar B. One is on each side of the connecting bar A.

The Double action locking car lies in a cavity of the connecting bar, and under the thinnest safety car f2. The safety cars always move on the Double inclined track or way, before described, & in a direction opposite to that of the locking car, and prevent the locks being picked

In the process of locking, the key is turned back instead of forward, as in other locks; the safety cars rise simultaneously to their utmost height; the double action locking car then moves horizontally a short distance, after which it descends towards the back end of the case upon its inclined track or way, formed by studs h & g. the safety cars at the same moment descending towards the front end of the case on the Double inclined track or way, formed by studs h & i, before described, until each reaches its lowest point, & there all three combine in holding both the vibrating & connecting bars & bolt

fast, as represented in fig. 8, which shows the bolt as locked: the projection p being locked under stud D, and the safety cam G having dropped down behind stud m, which locks the whole together. To unlock the bolt, the safety cam G must be first raised. Figure 5 represents the form of the Key.

In locking, the aperture o o, of the Key passes around the guard k of the connecting bar A, and the bit n, raises the safety cam G^2; while at the same time the bit entering the notch O, of the double acting locking cam strikes the back side of the notch, & moves the locking cam B at first horizontally & then in a descending backward, oblique or inclined direction, until the projection of the cam becomes fast under and against stud D, & holds the connecting bar A and bolt C stationary. In unlocking, a reverse movement is necessary, first raising the safety cams as before stated.

What I claim as my invention, & for I desire to secure an exclusive right by letters patent. is making up the cases in which the

Movements of locks & latches for doors are contained double faced, or so finished that either side may be used for the outside, in order that the same lock or case fastening may answer for a right or left hand door, substantially as described.

I also claim the peculiar construction & double action upon an inclined track or way of the locking bar B, as hereinbefore described, & the combination of the locking bar B & safety bars G G, with one another, & with the connecting or vibrating bar & bolt A, as within described, so as to fasten the bolt A securely, & prevent its being picked.

Calvin Adams

Witness
Y. C. Dodson
Wm W. Knight.

To the Commissioner of Patents

Sir

Having made application for a reissue of the Letters patent granted to John P. Sherwood, the 17th December, 1842.—

I hereby that you will be pleased to

recognize my agents and attorneys, Messrs Watson & Renwick, whom I hereby authorize and empower to alter & modify the specification & claim presented by me, to secure the patent when granted, & in general to demand & exercise all the rights and privileges that I myself would be entitled to, if personally present and acting in the premises.

Very respectfully, Yr obt Servt
Calvin Adams

Patent Office, March 28, 1861

Sir:

Your application for a reissue of letters patent granted to I. P. Sherwood December, 1842, has in its turn been taken up for examination. It is also necessary that your assignment should be on file before such examination can be proceeded with.

Thomas Ewbank
Commissioner

Calvin Adams.
Watson & Renwick. Washington, D. C.

No. 8735 April 15th 1851

In conformity to an act of Congress entitled "An act to promote the progress of the useful arts," approved the 4th of July, 1836, I have received of C. Adams, assignee of John P. Sherwood, Pittsburg, Pa: fifteen dollars, which sum has been placed to the credit of my account in the treasury of U. S, D. C, under the date of 27th March, 1851, & for which I have signed a receipt for a reissue Don Cook.

I. Sloane
Treasurer of the United States.

M. Nourse
Acting Register of the Treasury.
Registered: I. C. H.

Washington, May 1st 1851

Sir

Herewith we return the specification of J. P. Sherwood's Cook: having procured his oath thereto.

Mr Adams has likewise put on record an assignment of the whole right to the patent to himself. It is believed that all preliminaries are now complete, & it is hoped that you will examine the case as soon as possible.

Yours, very respectfully
Watson & Renwick

Hon: Thomas Ewbank
Commissioner of Patents.

Reissue.- No 201.

Carson Adams, assignee of John P. Sherwood,
of Pittsburg, County of State of Pa:

Door Locks

Received March 27, 1851
Petition " " "
Affidavit " " "
Specification " " "
Drawing } Old patent
Model }
Cert. dep.
Cash, $15
Examined Renwick, May 3. 1851
Issued S. C. Lawrence, " 5, "
Patented December 17th. 1842
Reissued May 13th 1851
4 Recorded Vol. 2. page 199
Watson & Renwick
L. Washington, D. C.

Postponed; See Letter, March 28, 61.
Specification to agent, May 1, 1851.

Exhibit "S. H. J. Noel."

The United States Patent Office.

To all persons to whom these presents shall come, Greeting:

This is to certify that the annexed is a true copy from the records of this office, of letters patent reissued to Calvin Adams, assignee of John P. Sherwood, May 13th 1851.

In testimony whereof, I. T. J. Shugert, acting Commissioner of Patents, have caused the seal of the Patent Office to be hereunto affixed, this 15th day of March, in the year of our Lord one thousand eight hundred & fifty nine, and of the Independence of the United States the Eighty third.

(Signed) T. J. Shugert

The United States of America.

No 201. To all to whom these letters patent shall come:

Whereas Calvin Adams, of Pittsburg, Pa. assignee of John P. Sherwood, Sandy Hill, New York, has alleged that said Sherwood

invented a new and useful improvement in door locks; for which Letters patent were issued to said Sherwood, dated December 17th 1842; said Sherwood having assigned his right, title, and interest in the same to Calvin Adams aforesaid, & the said Letters having been surrendered by him, the same have been cancelled, and new Letters ordered to issue to said Adams on an amended specification,) which he states has not been known or used before Sherwood's application; has made oath that he & said Sherwood are citizens of the United States; that he does verily believe that the said Sherwood was the original and first inventor or discoverer of said improvement, and that the same hath not to the best of his knowledge & belief been previously known or used: has paid into the treasury of the Treasury of the United States the sum of fifteen dollars, and presented a petition to the Commissioner of Patents, signifying a desire of obtaining an exclusive property in said improvement, & praying that a patent may be granted for that purpose.

Whereas are therefore to grant according to Law, to the said Calvin Adams, his heirs, administrators, or assigns, for the term of fourteen years from the 17th December, 1842. the full & exclusive right & liberty of making, constructing, using, & vending to others to be used, the said improvement a description of which is given in the words of the said Calvin Adams, in the schedule hereunto annexed, & is made part of these presents.

(L. S.)

In testimony whereof, I have caused these letters to be made Patent, & the seal of the Patent office to be hereunto affixed.

Given under my hand at the City of Washington, this 13th day of May, in the year of our Lord 1851. and the independence of the United States of America the seventy fifth.

Alexander H. H. Stuart
Secretary of the Interior.

Countersigned & sealed with the seal of the Patent Office.

Thomas Ewbank
Commissioner of Patents.

The Schedule referred to in these letters patent & making part of the same.

To all whom it may concern;

Be it known that I, John P. Sherwood, of Sandy Hill, Washington County, & State of New York, have combined & invented some new & useful improvements not known or used before in the construction & manufacture of door locks or case fastenings, in which the movements are contained between the sides of the case; & the following is an exact & full description thereof, reference being had to the accompanying drawings, which form part of this Specification.

Every part of my fastening may be made of cast iron, & for most parts of it is the cheapest material. My first improvement is in the case E, figure 6, which I make double faced; each face projects over the sides and back end. The front end has no lip or projection on, like ordinary iron cases, but its edges are plain & covered by the two faced plates. The aperture for the bolt in the front end of said lock is as wide as said end, so that the mandrel may dispense with setting a core, & a stay marked A, (with screw holes

through it,) from 3/4 to 1 1/2 inch wide, and 1 1/2 to 3 inches long. ides on the lower front corner of each face, protecting the bolt-hole. This improvement facilitates & cheapens the casting of a case, by covering the sides & doing away with the setting of a core. It also fits every outside case for either a right or a left hand door, without turning the lock or latch upside down, & it renders the lock stronger & more durable. A glance at the drawings shows its peculiarities & their use. The inside of the case is cast with common fixtures, such as friction plates, studs, & braces, to keep the bolt & other detached pieces in their respective places. My second improvement is in making the bolt with notches on its lower, & one exactly similar on its upper edge, so that, in connection with a vibrating or connecting bar, a horizontal motion is given to the bolt, & also adapts it by simple reversion, to a right or a left hand door. Each is cut perpendicularly & extends through one third part of the bolt: reducing the bolt in the centre, between the notches, to one third its original size.

Figure 1. Shows the bolt with its two similar & opposite notches, a a, its back end b.

forked so that it may pass a screw, & its front end c beveled to make one bolt answer for both lock & latch.

Figure 2 exhibits the vibrating or connecting bar A. for making the bolt, which is very irregular shape, and nearly fills the upper half of the case. Its lower front corner d. projecting downward, is made to fit in the notch a, in the top of the bolt, for the purpose of moving or fastening the bolt at pleasure. At its upper front corner, e shows a small hole for a screw, on which it vibrates, and near by f shows a large one for the handle. Nearly all the back end of the bar is made quite thin, as at A^2, leaving space between it and the case on one side for one sliding cam or impelling weight, & on the other side for two sliding cams hereinafter described. On each side of this bar are three studs, g, h, i, in height equal to the original thickness of the bar, and a curved key guard k, not quite as high as the studs which shield the locking cam. Stud g

is at the lower back corner, h near the centre, and i above and back of h. Each stud on one side has a corresponding stud, similar & similarly situated, on the opposite side; h and i form an inclined track or way, i being placed obliquely above h toward the front end of the case; and as the corresponding studs on the opposite side of the bar form a similar track or way, we have a double inclined track or way for the safety cars (hereinafter described) to pass up & down. A little above the corner stud g, a notch l opens upon the back end of the bar toward a point below the centre stud h, a passage way for the stud m, of the double action locking car B, hereinafter described.

Figure 8 represents the double-action locking car B, of which the exact form can only be learned from a model or drawing. It is a thin plate with a stud m near one corner, on one side, & a much shorter stud directly opposite on the other side. These studs add power to this car, and connect it with safety cars G G, hereinafter described, in a way that holds the three cars fast together when locked. The

large notch n gives room for the double action locking car B, passing through the stud h of the connecting bar A. The sides of this notch n are in one part horizontal, and in another oblique or inclined.

In one part of its movement on the stud h and g of said connecting bar it is horizontal, and in another inclined. The stud h & g of the vibrating or connecting bar A thus become at different periods a horizontal & an inclined track or way for the locking car B to move upon.

The small notch C admits the key (figure 5) by which the car is moved.

An acute angular projection p, near the stud n, catches under a stud D, on the side of the case E, when locked, (as seen in figure 8) and fastened to the car. The locking is effected by a compound or backward movement of this car B, which is new & peculiar to my lock.

Another car exactly like this, & with similar action, may be attached to the other side of the connecting bar, if greater security be desired. G (figures 4 & 7)

shows the shape of the two safety cars, which are exactly alike, except that one, G^2 (figure 7) is twice as thick as the other, & the thicker one has a groove H, over the key guard k, of the connecting bar A. A notch g in each of these cars GG^2 receives one of the studs m of the locking car B, when unlocked, as seen in figure 6, and 2 is a long opening for the studs h and c of the connecting bar.

In size, one of these cars G is nearly twice as large as the locking car B. One is on one side of the connecting bar A. The double action locking car lays in a cavity of the connecting bar and under the thinnest safety car G^2. The safety car always moves on the double incline track or way before described, & in a direction opposite to that of the locking car. They add strength & stability to the locking car, & prevent the locks from being picked.

In the process of locking, the key is turned back instead of forward, as in other locks. The safety cars rise simultaneously to their utmost height. The double action locking car then moves horizontally a short distance after which it descends towards the front end

of the case upon its inclined track or way formed by studs h & g, the safety cars at the same moment descending toward the front end of the case on the double inclined track or way formed by studs h and e, before described, until each reaches its lowest point, and there all three combine in firmly holding both the vibrating or connecting bar & bolt fast, as represented in figure 8, which shows the bolt as locked, the projection p, being locked under stud g, and the safety car G having dropped down behind stud D, which locks the whole together. To unlock the bolt, the safety cars G must be first raised, (figure 5) represents the form of the key.

In locking, the aperture v v of the key passes around the guard k of the connecting bar A, and the bit n raises the safety car G^2. While at the same time the bit t entering the notch O, of the double acting locking car, strikes the back side of the notch & moves the locking car B, at first horizontally, & then in a descending,

backward, oblique, or inclined direction, until the projection of the car becomes fast under and against Stud E, and holds the connecting bar A & bolt C stationary. In unlocking, a reverse movement is necessary first raising the safety car as before stated.

What I claim as my invention, & for which I desire to secure an exclusive right by Letters Patent, is making the cases in which the movements of locks & latches for doors are contained double faced, or so finished that either side may be used for the outside, in order that the same lock or catch fastening may answer for a right or left hand door, substantially as described.

I also claim the peculiar construction and double action (upon an inclined & horizontal track or way) of the locking car B, as herein before described, & the combination of the locking car B and safety cars G G2 with one another, & with the connecting or vibrating bar & bolt A, as within described, so as to fasten the bolt C securely, & prevent it being picked.

Witnesses: Edwin Adams

I. C. Down

Wm W. Knight

By reason of which omissions & Errors aforesaid the said counsel now here moves the Court to award a writ of certiorari directed to the Judges of the Circuit Court of the United States for the Western District of Pennsylvania commanding them that searching the records & proceedings of said Court in this cause they shall certify to this Court under the seal of the said Circuit Court of the United States for the Western District of Pennsylvania whatever omissions & Errors shall be found. On Consideration whereof it is now here ordered & decreed by this Court that a writ of certiorari be & the same is hereby awarded to be issued forthwith and to be directed to the Judges of the said Circuit Court of the United States for the Western District of Pennsylvania commanding them that searching the records & proceedings they forthwith certify to this Court under the Seal of the said Circuit Court of the United States for the Western District of Pennsylvania whatever omissions

and errors shall be found in this cause & return the same with the said writ of Certiorari forthwith to this Court.

per
Mr Justice Wayne

Charles Merriam
vs Appl
190 George Haas & wife

The motion of Mr Carlisle of Counsel for the appellee to dismiss this cause set for argument for Friday 12th instant

Henry A. Burr
vs Appl
141 Peter V. Duryee et al

Mr J. P. Bradley of Counsel for the appellants moved the Court, with the assent of Mr Harding of Counsel for the appellees, for leave to argue these three cases together when No 141, shall be reached in their

Henry A. Burr
vs Appl
231 Peter V. Duryee et al

Henry A. Burr
vs Appl
232 Peter V. Duryee et al

regular call on the docket, & also that their counsel be allowed to participate in the argument for the appellant, & that they have eight hours for their argument, to be divided among the three as they shall elect. On Consideration Whereof this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

Ex parte In the Matter of Edward Stubbs vs The United States

The argument of the motion for a Mandamus in this case was commenced by Mr Gillet in support of the motion, continued by Mr Coffee assistant Attorney General in opposition to the same and concluded by Mr Gillet in favor of said motion.

Charles H. Wheeler vs Appl Russel Sage

On the motion of Mr Carlisle in behalf of Mr Emmons of

and errors shall be found in this cause & return the same with the said writ of Certiorari forthwith to this Court.

per
Mr Justice Wayne

Charles Merriam
vs Appl
90 George Haas & wife

The motion of Mr Carlisle of Counsel for the appellee to dismiss this cause set for argument for Friday 12th instant

Henry A. Burr
vs Appl
141 Peter V. Duryee et al

Mr J. P. Bradley of Counsel for the appellants moved the Court, with the assent of Mr Harding of Counsel for the appellees, for leave to argue these three cases together when No 141, shall be reached in their

Henry A. Burr
vs Appl
231 Peter V. Duryee et al

Henry A. Burr
vs Appl
232 Peter V. Duryee et al

regular call on the docket, & also that their counsel be allowed to participate in the argument for the appellant, & that they have eight hours for their argument, to be divided among the three as they shall elect. On Consideration Whereof this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

Ex parte In the Matter of Edward Stubbs vs The United States

The argument of the motion for a Mandamus in this case was commenced by Mr Gillet in support of the motion, continued by Mr Coffee assistant Attorney General in opposition to the same and concluded by Mr Gillet in favor of said motion.

Charles H. Wheeler vs Russel Sage

139 appl

On the motion of Mr Carlisle in behalf of Mr Emmons of

Counsel for the appellee & with the consent of Mr Carpenter of Counsel for the appellant. It is now here ordered by the Court in consequence of the indisposition of Mr Emmons, that this cause be postponed and argued when No. 158 shall be reached in the regular call of the docket.

William F. Tucker vs Lib & Appl
320 The Propeller Buckeye

The motion to dismiss this cause was argued by Mr Spalding in support thereof.

The United States vs Appls
168 J. L. Folsoms Exrs

Mr Wells in behalf of Mr Della Torre moved the Court to postpone this cause until after the argument of No. 111 (Fossatts vs The United States) On consideration whereof, this Court not being sufficiently advised of & concerning what order to render in the premises took time to consider.

The United States
360 vs Appts
The Mayor & Common
Council of the City of
San José

Appeal from
the District
Court of the
United States
for the
Northern

District of California.

Mr Jos: Bradley of Counsd for the appellees having filed & read in open Court the following certificate to wit:—

At a Stated term of the District Court of the United States of America for the Northern District of California held at the Court room in the City of San Francisco on the Sixth Day of August in the year of our Lord One thousand eight hundred and fifty Seven.

Present. The Hon: Ogden Hoffman Dist: District Judge

The Mayor & Common
Council of the City of
Decree Decree Dan Jose &
of Confirmation The United States

Appeal from the final
decision of the Commissioners to ascertain &
settle private land claims in the State of
California. The claimants claim the land
included within the boundaries of the
former Pueblo of San Jose de Guadalupe
according to its ancient boundaries & the
cause having been heard upon appeal from
the decision of the Commissioners aforesaid
upon the Transcript of the proceedings
before the said Commissioners their
decision and the papers & evidence on
which said decision was founded & the
same having been argued by the District
Attorney on behalf of the United States
& by F. M. Haight & Joseph B. Crockett
on behalf of the claimants representing
the said Pueblo & due deliberation having
thereupon had, the said Court in pursuance
of the laws of Congress in that case

made & provided doth order judge and
determine that the claim of the Claimants
to the land included within the ancient
limits of the said Pueblo of San José
be confirmed to said claimants or their
legal representatives according to the
ancient boundaries of said Pueblo as
ascertained by the orders & decrees of the
former governments of California
the Map & Surveys in evidence and the
testimony of witnesses in the case as set
forth in the said transcript of the proceedings
of the said Commissioners sent to this Court
It is further ordered, adjudged & decreed
by the said District Court that the bound
aries of the said claim being the same
with those of the former Pueblo of San José
shall be ascertained & Surveyed as follows
Beginning at a point in the woods at a
live oak tree in the dividing line between
said Pueblo & what were formerly known as
the lands of the mission of San José & of said
tree is gone where the same was in March 1838
running thence a South East course
which passes through the mountains

which are called Las Bueltas, Pala, San Felipe, Los Animas, & Aguas de Los Hayas to a Monument of Stone erected in March 1838. and having reference to all the land marks on this line & to the Monument of stone in the Middle of the Pala; this line is in length eleven & one half leagues & its Southern termination the South East corner of the ancient limits of the said Pueblo & of the land hereby confirmed to the claimants. Then commencing again at the point first mentioned being the said live oak tree or its former situation, & running a line from the North East by East to Southwest by West to the embarcadero of the Guadalupe to the last-mentioned live oak which is seen on the bank of the river Guadalupe or where the same was in March 1838. being two leagues & eight hundred varas for the length of this line & the same passing near the house formerly occupied by José Noguera & distant from it four hundred & ten varas, the house being on the northerly side of this line. Thence up the river Guadalupe to its source & thence running with a line corresponding with the course of said river as near as may be & which is nearly from South, east to North West & having reference to monuments

of Stone formerly placed on this line the last of which & the termination of this line was placed on the apex of a little hill which is at the foot of the Mountain called "Parage de los Capilancillos," including part of the oak grove now or formerly at this place & including all the willows grow now or formerly at the source of the said river. Thence from said point at the foot of said Mountain de los Capilancillos to the Creek called Los Llagas at or near its source & at such point as will make the distance from where said line strikes said Creek to the South Eastern point before ascertained the same length as the distance from the Standing point in the survey to the embarcadero, that is two leagues eight hundred varas, thence from said point last ascertained to the South Eastern corner of the said tract before ascertained. In making the survey & ascertaining the preceding lines reference will be had to the survey & Map of the boundaries of said Pueblo made by the Commissioners Castro, Gilroy & Silvia Pacheco, in March

1838. & to the survey of Joseph Arguello under date of the twenty fourth day of July 1801. Signed also by the Fray Martin de Berudeta & José Miguel Ozuna & to the documents & dispositions in the cause as to the ancient boundaries of said Pueblo of San José.

Ogden Hoffman
Dist Judge

(Endorsed) Filed August 6. 1857
John A. Monroe. Clerk
By W. H. Chevers
Deputy

order set aside decree and re-hearing granted

District Court of the United States for the Northern District of California

The United States
vs
The Mayor & Common Council of the City of San José

No 419 - D.C
" 286 L.C

Friday February 5th 1864. Continued

This day came on to be heard the motion of the United States to set aside the decree heretofore made in this cause at this term & for a rehearing, & it being inconvenient for the Court to hear & decide upon said motion before the close of this term, & for the counsel of the Mayor & Common Council of the City of San José now to argue & said counsel consenting hereto,

It is ordered that the enrollment of the said decree be suspended; that the decree be set aside & the cause be restored to the Calendar for a rehearing with leave to both parties to introduce further evidence, & with leave to the counsel of the Mayor & Common Council of the City of San José' as the next item to move to vacate this order. Said motion, by consent of counsel, now given in open Court, to be heard & decided in like manner as the motion for a rehearing & upon the papers now filed & such other papers as either party may present. December 2d 1857

Ogden Hoffman
U.S. Dist Judge

Endorsed.

Filed Dec? 2d 1857
John A. Monroe
Clerk
by J. Edgar Graymes
Deputy

In the United States District Court
of the United States of America for the
Northern District of California held at the
Court House in the City of San Francisco on
Dec? Saturday the 26th day of November in the
year of our Lord one thousand eight hun-
dred and fifty nine.

Present.
The Hon: Ogden Hoffman
Dist Judge

The Mayor & Common
Council. City of San José
as
The United States

No. 419

An order having heretofore
been entered in this cause on the 2d day of

August 1857, in which order it was speci=fied that the claimants might move to set the same aside, & in pursuance of the said leave the claimants having on the 2nd day of May 1858, moved the Court to vacate and set aside the said order of the 2d December 1857; & the said motion having been duly argued by counsel & Submitted to the Court & the Court being now fully advised in the premises, it is ordered, adjudged & decreed that the aforesaid order entered on the 2nd day of December 1857, setting aside a hearing in the said cause, be & the same is hereby vacated & set aside and it is further adjudged ordered and decreed that the said decree of confirma=tion entered on the 6th day of August 1857, stand as valid & the same is hereby ratified in all things and shall have the like effect as if the same had not been vacated, as hereinbefore recited. Dated at San Francisco 25 Nov. 1859

Ogden Hoffman
U S. Dist Judge.

(Endorsed)

Filed Nov: 26. 1869

W. H. Chevers. Clerk

Order granting appeal to Sup: Court

At a stated Term of the District Court of the United States of America for the Northern District of California, on Thursday the 16th day of February in the year of our Lord one thousand eight hundred and sixty four the trial of land cases

Present The Hon: M. Hall McAllister.

Circuit Judge.

The United States

vs

Mayor & Common Council of the City of San José

No 419

In this case on application of Tully R. Wise Esq acting United States Attorney made in open Court, It is ordered by the Court that an appeal in behalf of the United States from the final decision

of this Court entered in said cause at the June Term 1859, be and the same is granted; and that a certified transcript of the pleadings evidence, depositions & proceedings in the said cause be sent to the Supreme Court of the United States without delay.

M. Hall McAllister
Circuit Judge

Endorsed Filed February 16th 1860
W. H. Chevers. Clerk

I. W. H. Chevers, Clerk of the District Court of the United States for the Northern District of California do hereby certify that the foregoing is a true, full & correct copy of the original decree of confirmation, the order to set aside decree & rehearing granted; the order vacating order of 2d of Dec. 1857, & making decree final; & the order granting appeal to the U.S. Supreme Court now on file & remaining of record in my office, in the case of the United States vs Mayor & Common Council

of City of San José No 419

In Witness Whereof I have hereunto set my hand and affixed the Seal of said Court this 18th day of No=vember A.D. 1863.

Seal of Court

W. H. Chevers. Clerk

And having stated that the appellants had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal. Now here moved the Court in pursuance of the 9th Rule of this Court to have this appeal docketed & dismissed. On consideration Whereof, it is now here order=ed & adjudged by this Court that this appeal from the District Court of the United State for the Northern District of California be and the same is hereby docketed and dismissed. and that this cause be and the same is hereby remanded to the said District Court for the Northern District of Cal=ifornia for further proceedings to be had therein in conformity to law & justice. the said

appeal notwithstanding.

per Mr Jas: Wayne

Greene C. Bronson

132 vs Appt

The La Crosse & Milwaukee R. R. Co: et al.

Henry Vallele et al

134 vs Appt

Greene C. Bronson et al

The Milwaukee and Minnesota R. R. Co:

267 vs Appts

I. T. Soutter etc

The Milwaukee & Minnesota R. R. Co

268 vs Appts

I. T. Soutter etc

The argument of these cases was continued by Mr Browning of counsel for the Complainants

Proclamation being made the Court is adjourned until Monday at Eleven o'clock A. M.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices
Samuel F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esq. Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened

On Motion first made to the Court in this behalf by Wm: D. H. Browning, it is ordered that Reuben Ward Esq. of Lebanon, State of Ohio, be admitted to practice as Attorney & Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Hon: I. T. Brady, it is ordered that W. E. Robinson Esq of Brooklyn State of New York, be admitted to practice as Attorney & Counsellor of this Court and he was sworn accordingly

On Motion first made to the Court in this behalf by Hon. I. T. Foster, it is ordered that Calvin I. Child Esq of Norwich State of Connecticut, be admitted to practice as Attorney and Counsellor of this Court, and he was sworn accordingly.

The United States
vs Appls
114 José Loreto Sepulveda et al

Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States

for the Southern District of California, and was argued by Counsel. On consideration Whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause, reversing & annulling the survey of the Surveyor General of California, bearing date on the Eleventh day of April A.D. 1861, be & the same is hereby reversed and annulled, & that this cause be & the same is hereby remanded to the said District Court with directions to dismiss the proceedings in this cause, upon said survey for the want of jurisdiction

per Mr Just. Field

The Proprietors of the Bridges over the Rivers Passaic & Hackensack vs Petts in Er The Nobottom Land & Improvement Co:

In error to the Court of Errors & Appeals of the State of New Jersey.

75

This cause came on to be heard on the transcript of the record from the Court of Errors & Appeals of the State of New Jersey

and was argued by Counsel. On Consideration Whereof it is now here ordered, adjudged & decreed by this Court, that the decree of the said Court of Errors and appeals in this cause, be and the same is hereby affirmed with Costs.

Ptr Mr Jus: Miller

Elisha Bloomer
105 vs Appl
James Millinger

Appeal from the Circuit Court of the United States for the Western District of Pennsylvania

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, & was argued by Counsel. On Consideration whereof it is now here ordered, adjudged & decreed by this Court, that the decree of the said Circuit Court in this cause, be and the same is hereby affirmed with Costs.

Monday February 8th 1864 Continued

pr Mr Justice Clifford

113 The United States
vs Appls
Benjamin S. Hallock
Claimant of the Bark
Pilgrim and Cargo

Appeal from the
District Court
of the United
States for the
Southern
District of
Florida.

This cause came on to be heard on the transcript of the record, from the District Court of the United States for the Southern District of Florida, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged & decreed by this Court, that the decree of the said District Court in this cause, be and the same is hereby reversed, and that this cause be & the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to the opinion of this Court

pr Mr Justice Grier

Russel Sturges
121 vs Libt & appl
John Clough Robert
L. Mabey & Henry
M. Weed. Claimts of
the Steamboat R.S.
Mabey. her tackle &c

Appeal from
the Circuit
Court of the
United States
for the
Southern
District of
New York

This cause came on to be heard
on the transcript of the record from the
Circuit Court of the United States
for the Southern District of New York,
& was argued by Counsel. On considera
=tion Whereof it is now here ordered,
adjudged, & decreed by this Court,
that the decree of the said Circuit
Court in this cause be & the same
is hereby affirmed with costs
per Mr Just: Grier

William F. Tucker
320 vs Libt & appl
The Propeller. Buckeye

Appeal from the
Circuit Court U.S.
for the Northern
District of Illinois

Monday February 8th 1864 Continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On Consideration Whereof, it is now here ordered, adjudged & decreed by this Court that this cause be and the same is hereby dismissed with costs

per Mr: Jus: Wayne

Elijah Perry
vs
112 Peffin Er
The State of New Hampshire

In Error to the Supreme Judicial Court of the State of New Hampshire

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of New Hampshire & the Stipulation of Counsel of the respective parties on file. It is now here ordered & adjudged by this Court that the judgment of the said Supreme Judicial Court in this cause be & the same is hereby affirmed each party paying its own costs in this Court

per Mr Jus: Wayne

Ex parte In the matter of Edward Stubbs
vs
The United States

On Petition for a writ of mandamus to the Judges of the Supreme Court for the District of Columbia

7. Orig.

On Consideration of the petition filed on a prior day of the present term to wit, the 22d day of January 1864, and the arguments of Counsel thereupon had as well in support of as against the same it is now here ordered & adjudged by this Court that the said writ be refused and that the said motion be and the same is hereby overruled

per Mr Jus: Wayne

Greene C. Bronson
132 vs appt
The La Crosse and
Milwaukee R. R. Co:

Henry Vallete et al
184 vs Appt
Greene C. Bronson et al

The Milwaukee &
Minnesota R. R. Co:
vs
267 I. F. Soulter et al

The Milwaukee &
Minnesota R. R. Co.
vs
I. F. Soulter et al

The argument of these cases was continued by Mr Carpenter of Counsel for the Respondents

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday February 9th 1864. Continued

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Ward H Lamon Esq Marshal
Daniel Wesley Middleton. Clerk.

Proclamation being made the Courts opened

On motion just made to the Court in this behalf by O. H. Browning Esq it is ordered that the Hon: John R. McBride of La Fayette, State of Oregon be admitted to practice as Attorney & Counsellor of this Court & he was sworn accordingly.

On Motion first made to the Court in this behalf by O. H. Browning Esq it is ordered that John M. Haulon Esq of Alton, State of Illinois be admitted to practice as attorney & Counsellor of this Court & he was sworn accordingly

On Motion first made to the Court in this behalf by M. H. Carpenter Esq it is ordered that Jason Downer Esq of Milwaukee State of Illinois be admitted to practice as an attorney & Counsellor of this Court & he was sworn accordingly.

Orcon C. Bronson

132 vs

The La Crosse and Milwaukee R. R. Co.

The argument of these causes was concluded by Mr Carlisle of Counsel for the Complainant

Henry Vallette et al

134 vs appt

Orcon C. Bronson et al

Tuesday February 9th 1864. Continued

The Milwaukee & Minnesota
267 R. R. Co: vs
J. J. Soutter &c

The Milwaukee & Minnesota
268 R. R. Co: vs
J. J. Soutter &c

Lessee of George Pomeroy et al vs Peffs in Er
133 The State Bank of Indiana

Herrings-
mans of
this was
commenced
by Mr Brady of Counsel for the plaintiffs
in error and continued by Mr Chase of
Counsel for the defendant in Error.

Proclamation being made the Courts
adjourned until tomorrow morning at
Eleven o'clock.

Wednesday February 18th 1862.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
John Catron
Sam[l] Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Sam[l] F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esqre. Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon: J. J. Brady, it is ordered that Wm Higbee Esq of Little Falls State of New York be admitted to practice as Attorney & Counsellor of this Court & he was sworn accordingly

Lessee of George Pomeroy &al
133 vs Plffs in Er
The State Bank of Indiana

The argument of this cause was continued by Mr Ward of Counsel for the Defendant in Error and concluded by Mr Carlisle of Counsel for the Plaintiff in Error.

J. G. Gaylord Jr &al
135 vs Appls
I Kelshaw & al

This cause was argued by Mr Hendricks of Counsel for the appellants & submitted on a printed argument by Mr Dunn of Counsel for the appellees

The Pacific Mail Steamship Co.
136 vs Plffs in Er
W. H. Jolliffe

This cause was submitted to the Consideration of the Court by Mr Eaton of Counsel for the plaintiffs in Error on the Record & printed argument of said Counsel for the Plaintiff in Error.

137 The United States vs Appls I. I. Morrill & ux

This cause was argued by Mr Wells of Counsel for the United States.

138 The United States vs appls M. J. O. de Cotta & ux

On Motion of Mr Attorney General Bates of Counsel for the United States it is hereby ordered that this cause be & the same is hereby postponed for the present.

140 The United States vs appls Bernado Yorba

This cause was argued by Mr Wells of Counsel for the United States.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Thursday February 11th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: James M Wayne
Saml Nelson
Robert C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices
Samuel F. Miller
David Davis
Stephen H. Field

Ward H. Lamon Esq. Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

N A Burr appt
141 vs
P. S. Duryea & al

N. A. Burr. appt
231 vs
P. S. Duryea & al

The argument of these cases was commenced by Mr Keller of Counsel for the appellant -

N. A. Burr. appt

232 vs

P. S. Duryee et al

Proclamation being made the Court is ad=
journed until tomorrow Morning at Eleven o'clock

Friday February 12th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
Saml Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Saml F. Miller
David Davis
Stephen J. Field.

Ward H. Lamon Esq. Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by J. S. Brown Esq. it is ordered that Edward Solomon Esq of Milwaukee State of Wisconsin be admitted to practice as attorney & Counsellor of this Court & he was sworn accordingly.

On Motion first made to the Court in this behalf by C. M. Hawley Esq. it is ordered

that H. G. Spafford Esq of Chicago State of Illinois be admitted to practice as attorney & Counsellor of this Court & he was sworn accordingly.

On Motion first made to the Court in this behalf by J. M. Carlisle Esq, it is ordered that Edward Lander Esq of Olympia, Territory of Washington be admitted to practice as attorney & Counsellor of this Court & he was sworn accordingly.

On Motion first made to the Court in this behalf by Hon: Reverdy Johnson it is ordered that Hon: William Higby, State of California be admitted to practice as attorney & Counsellor of this Court & he was sworn accordingly.

The United States
126 vs Appts
Anastacio Carrillo

Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard

on the transcript of the record from the District Court of the United States for the Southern District of California, & on the motion of Mr Attorney General Bates of Counsel for the appellants it is now here ordered, adjudged & decreed by this Court that this cause be & the same is hereby dismissed.

per Mr Justice Wayne

The United States
128 vs Appls
D. S. Gregory et al

Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, & on the motion of Mr Attorney General Bates of Counsel for the appellants it is now here ordered, adjudged & decreed by this Court that this cause be & the same is hereby dismissed.

pr Mr Jus: Wayne

155 The United States vs Maria Juana de Los Angelas

Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, & on the motion of the Attorney General Bates of Counsel for the appellants it is now here ordered, adjudged & decreed by this Court that this cause be & the same is hereby dismissed.

pr Mr Jus: Wayne.

156 The United States vs Frederick Billings James R. Bolton & Henry W. Halleck, assignees of Bezar Summons & Orrin Summons & Thos. Heirs at Law of Bezar Summons, deceased

Appeal from the District Court of the United States for the South ern

District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr Attorney General Bates of Counsel for the appellants it is now here ordered, adjudged and decreed by this Court that this cause, be and the same is hereby dismissed.

Pr Mr Justice Wayne

The United States
vs
Rafael Villavicencio

Appeal from the District Court of the United States for the Southern District of California

161

This cause came on to be heard on the Transcript of the record from the District Court of the United States for the Southern District of California & on the Motion of Mr Attorney General Bates of Counsel for the appellants it is now here ordered, adjudged & decreed by this

Court that this cause be and the same is hereby dismissed.

Pr Mr Justice Wayne.

	The United States		Appeal from
162	vs	Appls	the District
	Maria Antonio Apes & Others.		Court of the
	Heirs at Law of Pablo Apes.		United States
		deceased.	for the South
			ern District

of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California & on the motion of Mr Attorney General Bates of Counsel for the Appellants, it is now here ordered, adjudged & decreed by this Court that this cause be & the same is hereby dismissed.

Pr Mr. Jus. Wayne

Charles Fossat
111 vs Appt
The United States

It is ordered by the Court that no further argument will be heard upon the motion of Mr Peachy (for Mr Beverly Johnson) to dismiss appeal of Isaac Foster, an intervenor in this cause, but will hear it in connection with the argument of the cause upon its merits.

C. Merriam
190 vs Appl
George Haas & ux

The argument of the motion of Mr Carlisle to dismiss this cause is hereby postponed to Friday 19th instant.

John Reynolds et al
328 vs Plffs in Er
Robert Forsyth

The argument of the motion of Mr Browning to dismiss this cause is hereby postponed to Friday 19th instant,

G. A Meigs et al. Appts vs The Steamer Northerner — On Consideration of the Motion of Mr McGilvra for leave to the Clerk to issue a mandate in these causes it is now here ordered that the mandate may be issued in these causes by the Clerk during the present term of the Court.

27

G. A. Meigs et al. Appts vs The Pacific Steamship Co.

28

James L. Roosvelt vs Peffers Ex Lewis N. Meyer — Mr Rochon of Counsel for the defendant in Error moves the Court for leave to the Clerk to issue the mandate in this case. On consideration whereof this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

315

Friday February 12th 1864. Continued

H. A. Burr
141 vs appl
P. S. Dwyer & al

H. A. Burr
231 vs appt
P. S. Dwyer & al

H. A. Burr
232 vs appl
P. S. Dwyer & al

The argument of these causes was continued by Mr Keller and Gifford of Counsel for the Appellant.

Proclamation being made the Court is adjourned until Monday 15th instant at Eleven oclock.

Monday February 15th 1864.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon: James M. Wayne
John Catron
Sam.l Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices —
Noah H. Swayne
Sam.l F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esq. — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Courts opened.

Isidora Pacheco de Malarin & Sebastian Munoz, Executors of Francisco Perez Pacheco, deceased — Appeal from the District Court of the United States for the Southern District of California

109 vs Appellants

The United States —

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, & was argued by Counsel, On Consideration whereof it is now here ordered adjudged & decreed by this Court that the Decree of the said District Court in this cause be & the same is hereby reversed, & that this cause be & the same is hereby remanded to the said District Court with directions to enter a decree, confirming the claim of the appellants to two Square leagues under the grant of Pacheco.

per Mr Jas. Field.

Mr Justice Miller not being present on the argument of this cause, took no part in the decision

124 The United States vs José Antonio Aguirre & wife — Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and was argued by Counsel. On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said District Court in this cause be & the same is hereby affirmed.

per Mr Jus: Field

Thomas Bevier
his pltff in Er
vs
United States Taylor &
Miles A. Gilbert

In error to the Circuit Court of the United States for the Southern

District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, & was argued by Counsel. On Consideration whereof it is now here ordered and adjudged by this Court that the judg

=ment of the said Circuit Court in this cause be and the same is hereby revers=ed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with direc=tions to award a venire facias de novo.

Jn Mr Jus: Swayne

Mr Jus: Miller not being present on the argument of this cause, took no part in the decision.

Edward W. Dunham
vs Appt
The Cincinnati, Peru & Chicago R. R. Co:
William I. Walker &
Oliver P. Ludlow

Appeal from the Circuit Court of the United States for the District of Indiana

103

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued

by Counsel, On Consideration Whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

Pr Mr Jus: Clifford

Dissenting
Mr Jus: Davis

The United States
vs Appts
William S. Johnson &
Preston K. Woodside

Appeal from the District Court of the United States for the Southern

114 District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California & was

argued by Counsel. On Consideration whereof it is now here, ordered, adjudged & decreed by this Court that the decree of the said District Court in this cause be & the same is hereby affirmed

per Mr Justice Grier

Vicente Miramontes et al heirs at Law of Candelario Miramontes, deceased
vs Appts
The United States

Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by Counsel. On Consideration Whereof it is now hereordered adjudged & decreed by this Court that the decree of the said District Court in this cause be & the same is hereby affirmed.

per Mr Justice Grier

120

123 Texas Niswanger & William J. Niswanger, infants by their guardian ad litem Norman Gay, & Norman Gay & al vs Pltffs in Er Mary D. Saunders, widow & P. W. B. Saunders & al infants by their next friend Frances Asbury

In Error to the Supreme Court of the State of Ohio

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio & was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Supreme Court in this cause be & the same is hereby reversed with costs, & that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to the opinion of this Court.

Mr. Mr Lean Catron

6 Ex parte. In the Matter of Clement L. Vallandigham Petitioner

On petition for a writ of certiorari to the Judge Advocate General of the army of the United States. On consideration of the petition filed by Mr Pugh of Counsel for the petitioner on a prior day of the present term. to wit, On the 14th of February last & of the arguments of Counsel thereupon had as well in support of as against the said motion. It is now here ordered by this Court that the writ of certiorari prayed for be and the same is hereby refused.

Per Mr Jus: Wayne

Mr Justice Miller not being present on the argument of this cause, took no part in the decision.

A. A. Burr
141 vs appl
P. S. Dungee et al

A. A. Burr
231 vs appl
P. S. Dungee et al

A. A. Burr
232 vs Appl
P. S. Dungee et al

The argument of these Cases was Continued by Mr Harding of Counsel for the Complainant

Proclamation being made the Court is adjourned until tomorrow morning at Eleven Oclock.

Tuesday 16th February 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon James M. Wayne
Saml Nelson
Robt C. Grier
Nathan Clifford
Noah H. Swayne
Saml F. Miller
David Davis
Stephen J. Field

Associate Justices

Ward H Lamon Esq Marshal
Daniel Wesley Middleton Clerk

Proclamation being made, the Court is opened

N. A. Burr
121 vs Appl
P. S. Duryee & al

N. A Burr
231 vs Appl
P. S. Duryee & al

The argument of these cases was continued by Mr Harding of Counsel for the Appellees.

A. A. Burr

232 vs Appl

P. S. Duryee & ac

Proclamation being made the Court is adjourned until Tomorrow morning at Eleven o'clock

Wednesday February 17th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: James M. Wayne
Danl. Nelson
Robt C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices
Saml. F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esq. Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened

H. A. Burr
141 vs Appl
P. S. Duryee & ano

H. A. Burr
231 vs Appl
P. S. Duryee & ano

The argument of these cases was continued by Mr Harding & Mr Parker of Counsel for the appellees.

A. A. Burr

232 vs Appl

P. D. Dwyer dec

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock

Thursday February 18th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present—

The Hon. James M. Wayne
Saml. Nelson
Robt. C. Grier
Nathan Clifford
Noah H. Swayne
Saml. F. Miller
David Davis
Stephen J. Field

Associate Justices

Ward H. Lamon Esq. Marshal.
Daniel Wesley Middleton Clerk

Proclamation being made the Courts opened.

H. A. Burr
141 vs Appl
P. S. Duryee et al

H. A. Burr
231 vs appl
P. S. Duryee et al

H. A. Burr
232 vs appl
P. S. Duryee et al

The argument of these cases was concluded by Mr Stoughton of Counsel for the appellants.

Thursday February 18th 1864. Continued.

Proclamation being made the Court is adjourned until tomorrows morning at Eleven oclock.

Friday February 19th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: John Catron
Saml. Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Saml. F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esqre Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened

The Schooner "Revere" &c. — Appeal from
vs — the Circuit
The United States — Court of
the United
States for the District of Massachusetts.

Mr Coffey of counsel for the appellees having filed & read in open Court the following certificate, to wit:

Circuit Court of the United States.
First Circuit. Mass: Dist.
Clerks Office. Feby 10. 1864.

I hereby certify that in a cause of Prize Schooner "Revere & Cargo" Claimant & Appellants vs The United States, a hearing was had at the May Term 1863, to wit: June 3. 1863 & it being ordered, adjudged & decreed by the Court that the decree of the District Court be affirmed & decree of confirmation and distribution being entered, N. K. Clemens Claimant & appellant claimed an appeal in open Court, which was allowed by the Court

In testimony Whereof I have hereunto set my hand & affixed the seal of said Court the year & day first above written

(Seal) N. J. Clifford.
Clerk U. S. C. C.

And having stated that the appellant had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal Now here moved the Court in pursuance of the 9th Rule of this Court to have this appeal docketed & dismissed. On Consideration Whereof, it is now

here ordered & adjudged by this Court that the appeal from the Circuit Court of the United States for the District of Massachusetts be & the same is hereby docketed & dismissed with costs & that this cause be and the same is hereby remanded to the said Circuit Court of the United States for the District of Massachusetts for further proceedings to be had therein in conformity to law & justice the said appeal notwithstanding.

per Mr. Justice Catron

The United States
vs
Francisco Arce

Appeal from the District Court of the United States for the Southern District of California.

142

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California & on the motion of Mr. Attorney Bates of Counsel for the appellant it is now here considered, ordered & decreed by this Court that this cause be & the same is hereby dismissed.

In Mr Justice Catron

144 The United States vs Appls
Silvestre de la Portilla

Appeal from the District Court of the United State for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California & on the Motion of Mr Atto: General Bates & of Counsel for the appellant it is now here considered ordered & decreed by this Court that this cause be and the same is hereby dismissed

for Mr Justice Catron

147 The United States. Appls vs The heirs of Gabriel Espinosa & Lucinda E. Rogue

Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern

District of California & on the motion of the Attorney General Bates & of Counsel for the appellants, it is now here considered, ordered & decreed by this Court that this cause be & the same is hereby dismissed

per Mr Justice Catron

The United States
150 vs Appls
Lawder Ransom

Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California & on the motion of Mr Attorney Gen'l Bates & of Counsel for the appellants, it is now here considered, ordered & decreed by this Court that this cause be and the same is hereby dismissed.

per Mr Justice Catron

	The United States	Appeal from the
132	vs Appl	District Court of the
	L. V. Prudhomme,	United States for
	Administrators of Tiburcio	the Southern District
	Tapia deceased	of California

This cause came on to be heard on the transcript of the record from the District Court of the United State for the Southern District of California & on the motion of Mr Attorney General Bates and of Counsel for the Appellants it is now here considered ordered & decreed by this Court that this cause be and the same is hereby dismissed.

per Mr Justice Catron.

	The United States	Appeal from
133	vs Appl	the District
	Ysidro Maria Alvarado	Court of the
		United States

for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern

District of California & on the Motion of Mr Attorney General Bates & of Counsel for the Appellants, it is now here Considered Ordered & decreed by this Court that this Cause be and the same is hereby dismissed.

per Mr Jus: Catron

157 The United States vs Thomas I Farnham's Widow & heirs

Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California & on the Motion of Mr Atts: General Bates & of Counsel for the Appellants, it is now here considered, ordered and decreed by this Court that this cause be and the same is hereby dismissed

per Mr Jus: Catron.

Charles Merriam
190 vs appt
George Haas & ux

The argument of the motion to dismiss this cause was commenced by Mr Carlisle in support of the same, & concluded by Mr Wilson in opposition thereto; Whereupon this Court not being now here sufficiently advised of and concerning what order to make in the premises took time to consider.

The United States
145 vs appts
Juan Moreno

This cause was argued by Mr Wells of Counsel for the United States.

The United States
146 vs appts
Joaquin Carrillo

On motion of Mr. Attorney General Bates, It is ordered that the argument of this cause be and the same is hereby postponed for the present.

149 The United States vs Appl Angus Olvera et al

The argument of this cause was commenced by Mr Wells of Counsel for the United States, continued by Mr Williams of Counsel for the appellees & concluded by Mr Wells for the United States.

Proclamation being made the Court is adjourned until Tuesday 23d inst at 11 Eleven o'clock

Tuesday February 23d 1864

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	James M. Wayne	
	John Catron	
	Sam'l Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam'l F. Miller	
	David Davis,	
	Stephen J. Field	
Ward H. Lamon Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by J. M. Carlisle Esq it is ordered that Damon Coats Esq of Syracuse, State of New York be admitted to practice as an Attorney and Counsellor of this Court & he was sworn accordingly

On Motion first made to the Court in this behalf by J. M. Carlisle Esq it is ordered that A. R. Browne Esq of Washington District of Columbia be admitted to practice as Attorney & Counsellor of this Court & he was sworn accordingly

On Motion first made to the Court in this behalf by R. H. Gillet Esq, it is ordered that Charles D. Webb Esq of New York City, State of New York be admitted to practice as Attorney & Counsellor of this Court & he was sworn accordingly

On Motion first made to the Court in this behalf by Hon: O. H. Browning, it is ordered that Samuel A. Stinson Esq of Atchison, State of Kansas be admitted to practice as Attorney and Counsellor of this Court & he was sworn accordingly.

The United States vs Appl Manuel Augusola — Appeal from the District Court of the United States for the Southern District of California.

118

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California & was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be & the same is hereby affirmed

per Mr Justice Field

Hiram Chamberlain vs Peffers Ex Solomon Meredith Pleasant Johnson, Caleb B. Smith & Thomas Tyner — In Error to the Circuit Court of the United States for the District of Indiana.

122

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana & was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit

Court in this cause be, and the same is hereby affirmed with costs

Pr Mr Jus: Davis

Thomas G. Gaylord Jr & Benjamin Gaylord		Appeal from the Circuit Court of the United States for the District of Indiana.
135	vs Appts	
John McShane & Charles Butterworth		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, & was argued by Counsel. On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be & the same is hereby reversed with costs, & that this cause be & the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

Pr Mr Jus: Miller.

Abraham La Tourette & Daniel Butler claimants of the Schooner Commodore in Chief. Appls

vs

Peter R. Burton & William H. Suiz. Libellants

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York & was argued by Counsel. On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of New York

per Mr Justice Clifford.

129

Tuesday February 23d 1864. Continued

Greene C. Bronson
& James T. Soutter
Trustees.

132 vs Appts

The La Crosse and
Milwaukee R. R. Co:
The Milwaukee & Minnesota
R. R. Co: & Selah Chamberlain &c.

Appeal
from the
District
Court of
the United
States for
the District
of
Wisconsin

This cause came on to be heard on the
transcript of the record from the District Court
of the United States for the District of Wis-
consin, & was argued by Counsel. On
consideration whereof it is the opinion
of this Court that the decree of the District
Court reducing the indebtedness of the La
Crosse and Milwaukee Rail Road Compa-
ny to the bond holders is erroneous, & that
the decision should have been for the full
amount of one million of dollars &
interest. It is therefore now here ordered,
adjudged & decreed by this Court that the
decree of the said District Court in this cause
be & the same is hereby reversed with

costs, & that this cause be & the same is hereby re-
manded to the Circuit Court of the United States
for the District of Wisconsin, with directions to
enter a decree for all the interest due, & accrued
by the mortgage with costs. That the Court
ascertain the amount of monies in the
hands of the Receiver or Receivers, from the
earnings of the road covered by the mortgage
which may be applicable to the discharge
of the interest, and apply it to the same. And
that, if the monies thus applied is not
sufficient to discharge the interest due on
the first day of March 1864. then to ascertain
balance remaining due at that date, & in case
such balance is not paid within one year
from the date of the order of the Court
ascertaining it, then, an order shall be
entered directing a sale of the mortgaged
premises, under the direction of the Court,
& on bringing the proceeds into Court, they
shall be applied to the payment of the
balance of interest; and if they exceed
such balance, shall be applied to the
future accruing interest, down to the sale
& if they exceed that, to the principal of the

bonds, in case the bondholders assent, or pro rata to those who may assent. and any remaining balance of the proceeds to be invested under the direction of the Court for the payment of future accruing interest and ultimately the principal. And further, that in case the interest upon the bonds is paid without a sale, the decree shall remain as security for subsequent accruing interest, & ultimately for the principal. And further that the Court may pay out of moneys in the hands of the receivers, or out of the proceeds the taxed costs of the trustees in the proceedings for the foreclosure of the mortgage, not taxed & received from the defendants in these proceedings, & also such counsel fees in behalf of the trustees, as the Court in its discretion may deem right to allow.

Jr Mr Dan: Nelson

The Milwaukee & Minnesota R.R. Co:

267 vs Appl

James T. Soulle. Survivor of Greene C. Bronson & James T. Soulle. Trustee &c

Appeal from the District Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that this cause be & the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of Wisconsin.

Per Mr Justice Nelson

The Milwaukee & Minnesota R. R. Co: Appls
vs
268 James T. Soulter, Survivor of Green C. Bronson & James T. Soulter Trustee

Appeal from the Circuit Court of the United States for the District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin & was argued by Counsel. On Consideration Whereof it is now hereby ordered, adjudged & decreed by this Court that this cause be & the same is hereby dismissed with costs.

Mr Justice Nelson

The Pacific Mail Steam Ship Co: Plffs in Er
vs
136 William H. Dolliffe

This cause is continued until the next term for oral argument, As the case draws in question the validity of a statute of the State of California establishing pilot regulations for the Port of San Francisco. The Clerk is directed to transmit a copy of the printed record of the

brief of the plaintiff in error together with a copy of this order to the Attorney General of California.

Jr Mr Jus: Catron

Charles Merriam is appt George Haas & ux

190

On consideration of the Motion heretofore made by Mr Carlisle of Counsel for the appellee to dismiss this cause on the 19th inst, it is now here ordered that the said motion be & the same is hereby overruled.

Charles Fossat is appt The United States

111

Ordered that Mr Cushing & Mr Black have eight hours & the Atto. General & Mr Wells have eight hours in the argument of this cause to be divided as they may agree among themselves, and that the usual time of two hours be allowed to Mr Carlisle and Mr Williams.

Tuesday February 23d 1864 Continued.

111 Charles Fossat vs The United States appt

The argument of this cause was commenced by Mr Cushing of Counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock

Wednesday February 24th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: James M. Wayne
John Catron
Sam[l] Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Sam[l] F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esq — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon: Jeremiah S. Black it is ordered that Leander S. Hotchkiss Esq of Clyde, Wayne County State of Kansas, be admitted to practice as Attorney & Counsellor of this Court & he was sworn accordingly

On motion first made to the Court in this behalf by Hon: Jeremiah S. Black it is ordered that Charles L. Lyon Esq of Lyon, State of New York, be admitted to practice as Attorney & Counsellor of this Court & he was sworn accordingly

111 Charles Fossat vs appt The United States

The argument of this cause was continued by Mr Cushing of Counsel for the appellant, and by Mr Wells of Counsel for the United States

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.